



# Current Security Threats in Europe

Selected papers from the first annual student conference organized by  
the Center for Security Studies at Metropolitan University Prague,  
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Compiled by

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Note: This text was not proof-read by the editor. The authors are solely responsible for the grammar, style, and the factual content of their contributions.

## **Foreword**

This volume consists of six papers that were presented at the first annual student conference organized by the Center for Security Studies at Metropolitan University Prague on April 4, 2009. The main goal of this conference was to offer students from Czech Republic and the rest of the world an opportunity to present their research papers and/or bachelor/master's thesis devoted to the analysis of one of the current security threats in Europe. The first panel therefore included papers that examined the European Union's engagement in contemporary conflicts (Cyprus, Gaza, and the Democratic Republic Congo), while the second panel focused on cross-border threats and possible EU responses to them (immigration, missile defense, and the EU's Rapid Reaction Mechanism). The conference was opened with a keynote speech delivered by PhDr. Jana Hybášková, formerly a Member of European Parliament.

The first paper in this volume titled *European Initiatives in Gaza – The Influence of the Czech Presidency* was authored by Šárka Matějková from Metropolitan University Prague and Institute for International Relations. It offers an analysis of the mediation attempts of the European Union in the conflict between Israel and the radical Palestinian movement Hamas on the territory of Gaza in early 2009, with a special emphasis on the European mission lead by the former Czech Foreign Minister Karel Schwarzenberg. The second paper titled *European Union's Involvement in the Democratic Republic of Congo* (DRC) was authored by Kristýna Syslová from Metropolitan University Prague. It examines the EU's interventions in the bloody civil war in DRC, ranging from development and humanitarian aid, diplomatic and technical support to military operations. Kateřina Šíchová, now at Czech Ministry of Education, Youth and Sports, is the author of the third paper dealing with EU's engagement in the Cyprus. She shows how a relatively small island can become a major problem and how the EU got involved in its resolution.

Yu-Chin Cheng from Charles University is the author of the fourth paper, titled *EU Rapid Reaction Mechanism: Restoration in Neighboring Countries*. The paper assesses the employment of the EU's rapid reaction mechanism both inside and outside Europe. In the fifth paper, titled *Recent EU Immigration Trends and the Consequences of*

*Recent Economic Crisis*, Marek Svoboda from Metropolitan University Prague surveys the latest information concerning flows of migrants in Europe and discusses the impacts of global financial crisis on immigration in the European Union. Finally, in the last paper titled *Missile Defense: Perspectives and Possibilities*, Adam Fireš from University of Economics, Prague describes the role of missile defense as an important element of global security and analyzes its implications for Europe.

While sometimes falling short of the standards common to articles published by seasoned experts and practitioners in top peer-reviewed journals, the papers included in this volume represent an interesting and valuable contribution to the on-going debate about contemporary security threats and possible EU responses to them. I also hope that this volume will become a source of inspiration for perspective future participants at the forthcoming student conferences that the Center for Security Studies plans to organize on annual basis.

Oldřich Bureš

In Prague, May 2009

# **The European Initiatives in Gaza: The Influence of the Czech Presidency**

**Šárka Matějková**

**Abstract:** This paper is intended to evaluate the mediation initiatives of the European Union in the current conflict between Israel and the radical Palestinian movement Hamas on the territory of Gaza. Since the Czech Republic is presently holding the Presidency of the EU, the engagement in this particular conflict has been presented as a challenge for the Czech representatives to show their mediation capabilities, and there were low expectations from European mission lead by the Czech Foreign Minister Karel Schwarzenberg. Nonetheless these expectations were distant both from the theoretical concepts of mediation as a specific tool of conflict engagement and from the political reality of the long Israeli – Palestinian dispute. First it will be useful to introduce the mediation theories, which are revealing the potential pitfalls of this activity. Further, there will be presented a theoretical image of good mediation that would be relevant in this particular conflict. Finally, the dominant enterprises of the European Union representatives will be critically reviewed via those ideal components of mediation. The aim is to reveal the gap between political discourse of expectations, which is connected with the post of the EU Presidency, and the real possibilities of conflict resolution in such a complicated dispute as Gaza represents.

## **Introduction**

In the fall of the year 2008 the European Union (EU) was preoccupied with the traditional event of Presidency rotation. This interchange of presidency was interpreted in many influential newspapers as if an ‘old warhorse’ – France, had to hand over a scepter to a ‘greenhorn ignorant’ – the Czech Republic, and some politicians even suggested to exceptionally disturb the rotation principle of the EU Presidency to avoid the potential catastrophic consequences of inexperienced ‘rule’. Nonetheless those vigilant commentators were in the end calmed down by the fact that the major tasks are actually administrative in character and the credibility of the EU could and should survive without greater obstacles. In the end, the organizational preparations took place in the Czech Republic actively and intensively as is usual by any succession state.

At that time, no one predicted how serious problems will come with the oncoming year and how much employed the Czech representatives actually will be. After the end of the six-month Egyptian-brokered cease-fire expired on December 19, five days later radical Islamic militants started to fire rockets towards Israel, which after warning responded by massive air strikes on Gaza strip as counteroffensive against radical movement Hamas. The majority of

victims were civilians, who became under attack of intensive bombardment and cut from the outside world without any supplies of food, water, and foremost medicaments.

Taking in account the level of distrust towards the Czech Republic even before it has started to perform the Presidency role, it was not surprising that the skeptics intensified their doubts and fears, when the conflict in Gaza erupted. When the Czech Foreign Minister, Karl Schwarzenberg was charged with leading the EU Mission to Egypt, Israel, Palestinian Territories and Jordan, the dominant contra-argument was once again the allegedly missing experience of the Czech Representation in conflict mediation. Notwithstanding, as will be demonstrated in this paper, evaluating mediation is much more complex task, related to various issues and difficulties, and it would be very simplifying to base the assessment purely on the experiences of mediator.

This paper is aimed to respond to these problems and find a comprehensive way of evaluating mediation that is part of the broader field of conflict resolution. After discussing theoretical difficulties, which scholars have to face while identifying the determinants of successful mediation, there will be adopted a more practice-based framework for evaluation. The proposed mechanism, introduced by the European Initiative for Peacebuilding, has several advantages for the purposes of this study. First, it perceives the uniqueness of conflict situations and consequently offers a context-related approach to mediation. Second, it also differentiates among three different models that mediators may adopt according to their position and aims in the conflict. Third, there are suggested concrete criteria and relevant questions, making the concept appropriate for operationalization. Finally, the general principles include also various sub questions that may be used, depending on their applicability on concrete mediation process.

This framework will be tested on the case study of mediation mission to assist in resolving the intensified conflict in the Gaza strip, provided by the European Union in January 2009. Before analyzing the fulfillment of principles from the Initiative for Peacebuilding report entitled *Evaluating Peace Mediation*, it will be crucial to identify the model of mediation, selected in this particular case. It will help to expose the relevant questions leading to comprehensive evaluation of the success achieved in this conflict. The results naturally depend on the point of view of evaluator, as the events may be interpreted in different ways. Altogether, the purpose here is not to make generalizations about mediation or about the conflict in Gaza. Still this should not decrease the value of this paper, which is mainly intended to find a more systematic and still flexible framework for evaluating mediation, useful for various European

Institutions, but also for anyone, who is interested in conflict resolution and mediation particularly.

## **Mediation**

Mediation is an old instrument for decreasing the tensions among various conflicting parties. The significance of this conflict resolution instrument is growing up; since the nature of warfare has changed, and the traditional inter-state conflicts were replaced by internal disputes based on territorial, ethnical, religious or other issues. Thus intervening into disputes turned into sometimes efficient and legitimate tool to maintain peace.<sup>1</sup>

Mediation has been defined variously, but the majority of scholars agree it means third party assistance to two or more interacting parties (Pruitt and Kressel 1989). Pertinent explanation was provided by Bercovitch (1984: 23): '*it is a noncoercive and voluntary form of conflict management that is particularly suited to the reality of international relations, where states and other actors guard their autonomy and independence quite jealously*'. Progressive theorizing began in the 80's and some scholars tried to find out more specific techniques and strategies of mediators (Kressel 1972, Kressel and Pruitt 1985).

There were also explored the potential and real factors that determine the choice of such techniques. Some authors stress the *rules and standards* introduced by concrete institutions, like the Federal Mediation and Conciliation Service (Susskind 1981); others recommend respecting more general ethical standards (Tyler 1987, Cormick 1982). Second often-discussed aspect is the *dispute characteristics*, which was very well explored by Bercovich and Langley (1993a), by using systematic analysis including both qualitative and quantitative methods. *Personality, training and ideology of mediator* are also viewed as important determinants of strategy selection (Stein 1985, Merry 1989). Identifying the determinants of strategy choice brought interesting new information into the study of mediation, but reality of conflicts showed that third party initiatives, though well intended, are for the conflicting parties not always beneficial.

For the purpose of this study, it will be crucial to find out the most important elements, which determine the potential success of mediation activities. Before turning to this question, it is

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<sup>1</sup> There are various subtypes of third party interventions diverging according to the use of coercion, which can be in extreme case, also use of military force. Mediation is relatively soft version of intervention, and thus on the opposite side of this spectrum.

important to mention the statistic probability of successful mediation, which was explored by Bercovitch and Langley (1993b). In the survey of 97 conflicts, they identified the total number of 364 separate mediation attempts, from which 71,9% were unsuccessful, 10,4% resulted in cease fire, 11,8% in partial settlement and a full settlement was reached only in 5,9% of the cases.<sup>2</sup> Accordingly, the expectations from various mediation initiatives should be pragmatic, taking in account these numbers and also the fact, that measuring success may be quite relative. Although some mediation efforts do not lead to direct outcomes like peace settlements, they may significantly contribute to the better interactions and communication among the conflicting parties. Conversely, some conflicts are apparently resolved by agreement, which is in practice not implemented and this absence of real consequences may create a new conflict potential.

General literature usually highlights as the key success determinant the personality of mediator, who should be reasonable, acceptable, knowledgeable, communicative, intelligent, energetic and impartial. In contrast, Bercovitch and Schneider argue, that ‘the key blessings for good mediation are not related so much to the personality of mediator, but to material factors’ (Bercovitch, Schneider 2000: 162). They stress the importance of power and resources, ability to offer goods and services or in worse case to punish violators of agreements. These characteristics are more relevant for evaluating one-party mediation, but there can also be multiple parties involved, what may bring both certain positives and negatives. These are identified for example in the study from Crocker, Hampson and Aall (2007), who warn from uncoordinated mediation activities taken by several different parties, which may result in different approaches to conflicting parties, and create rather more misunderstandings and mixed messages. On the other hand, it is not always possible for one party to achieve the aims due to lack of resources or too demanding tasks and multi-party mediation may be beneficial once the actors involved are able to cooperate and be active at different stages or in different areas.

## Framework for Evaluating Mediation

Although some studies on mediation were looking for causal mechanisms and resulted in interesting conclusions as was outlined in the last section, majority of scholars reached a

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<sup>2</sup> There was provided similar analysis by Bercovitch and Schneider (2000) exploring almost double amount of mandates from 1950-1990, resulting in almost the same percentage of success. From the total of 723 mandates 263 (36,38%) were perceived as successful.

consensus rather in the sense – it is hard to make generalizations, because determining probability of successful by mediation is hindered by very complicated and context-related nature of contemporary conflicts. Thus, finding universally accepted mechanism for evaluating concrete mediation activities is not an easy task.

International or regional actors that traditionally provide peacebuilding brought certain progress in this area. The UN has set up the Interagency Working Group on Evaluation (IAWG) and later also UN Evaluation Group (UNEG), which aims to improve the objectivity and effectiveness of evaluation mechanisms. Another important initiator of evaluation frameworks is the OECD, which started to use the Principles for the Evaluation of Development Assistance in the Development Assistance Committee since 1991. In addition, the International Development Research Centre introduced the *Peace and Conflict Impact Assessment* – methodology used to evaluate the impact of concrete projects based on comparing the situation before, during and after the strategy has been applied.

The absence of evaluation mechanism directly applicable on mediation was addressed in the report *Evaluating Peace Mediation*, which resulted from workshop on evaluating mediation, organized by the Crisis Management Initiative in cooperation with Swiss Peace Foundation and the Centre for Peace mediation.<sup>3</sup> The main contribution of this outcome document consists in proposing a set of criteria for evaluating mediation activities, based on context specific approach, aware of above mentioned difficulties and dilemmas.

In addition, the final report distinguishes among three different models of mediation, which are related to different approaches, concepts, goals and strategies:

- 1.) *Interest-based, problem-solving mediation* – mediator uses more supportive approach, often maintains the ownership of the process by the parties. The primary focus is on identifying options for agreement that would satisfy the underlying interests of all parties.
- 2.) *Power-based, deal-brokering mediation* – mediator uses their power position to threaten by punishing or promising rewards in order to intermediate a deal. In this approach mediators usually direct the process towards convincing parties to reach an agreement.
- 3.) *Transformative, long-term mediation* – mediators intervene on various levels with the longer-term goal to change the attitudes and ideally also relationships between the conflict parties. This model involves many different actors and initiatives in conflict societies.

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<sup>3</sup> Lanz, D., Wahlisch, M., Kirchhof, L., Siegfried, M., Evaluating Peace Mediation, Initiative for Peacebuliding, Brussels, 2008.

The proposed evaluation criteria may be directly applied on mediation process through various questions related to each of them.<sup>4</sup> These questions were suggested with respect to different aspects of mediation, and consequently they enable assessing the mediation initiatives first more generally and than according to the concrete adopted model. Unfortunately the scope of this paper does not allow naming all the questions in detail; accordingly they will rather serve as guidance for addressing those aspects, which are relevant for the selected case study of mediation. In short they will be illustrated by one major question related to each evaluation criterion:

**Table 1.: Criteria and General Questions for Evaluating Mediation<sup>5</sup>**

<i>Relevance:</i>	How does the intervention respond to the need of the broader conflict context?
<i>Effectiveness</i>	Has the intervention reached its objectives?
<i>Sustainability:</i>	Do the benefits of the intervention continue after its termination?
<i>Efficiency:</i>	How do the costs of an intervention relate to its benefits?
<i>Coherence (Coordination)</i>	Is the intervention consistent with the larger policy context in which it takes place?
<i>Linkages:</i>	Does the intervention link with activities and policies in other peacebuilding sectors?
<i>Coverage:</i>	Does the intervention cover a broad range of stakeholders, issues and regions?
<i>Consistency with values</i>	Is the intervention consistent with the norms and values of donors or implementing agencies?

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<sup>4</sup> These principles were assumed from the report *Guidance on Evaluating Conflict Prevention and Peacebuilding Activities*. OECD-DAC Networks on Development Evaluation and on Conflict, Peace and Development Cooperation initiated the guidance in 2008.

<sup>5</sup> The criteria and questions are adopted from the Report *Evaluating Peace Mediation*, p. 12.

Accordingly, in the following part it will be first of all crucial to identify the approach of the mediating actor according to the aims, strategies and style of the process. Although the models seem easy to differentiate from each other in theory, they may be hard to define in practice, because some mediation activities have features of more than one model especially if they are explored from broad and long-term perspective of conflict resolution. In result the typology will serve for recognizing the dominant approach and relevant aspects to pose the appropriate evaluation questions, rather than for detailed characterization of adopted model.

## **Case Study: European Initiatives in Gaza**

The following part is a direct application of the framework proposed in the report *Evaluating Peace Mediation*. The concrete approach to mediation and consequently the strategy adopted by the EU depends on the role it plays in conflict resolution, which is generally viewed as alternative player to the US and UN in contributing to international peace and security. In result mediation means cost-effective possibility for managing crises within the European Security and Defense Policy missions.<sup>6</sup> Which among the three defined models (interest-based, power-based, transformative) is dominant? If choosing among these perspectives, mediators have to face an important dilemma, because impartiality and neutrality are very often maintained as the main principles of international peace mediation, but in practice leverage and coercion often contribute to successful mediation outcome. The EU cannot be seen as impartial or neutral actor, since it often has own interest in the conflict resolution and often uses instruments like considerable economic support, influencing the conflicting parties.<sup>7</sup> This does not mean, it would make the EU a bad or unfair mediation actor, but the dominant model is thus *power-based*, which will be adopted for evaluation questions.

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<sup>6</sup> See more in Herrberg, A., Perceptions of International Peace Mediation in the EU, Initiative for Peacebuilding, Brussels, 2008.

<sup>7</sup> In the context of the Middle Eastern Peace Process, the EU provides the highest financial support; the combined contribution of the European Commission and EU Member States has reached 1 billion EUR per year.

## Evaluation of Peace Mediation in Gaza

### Relevance

The term usually refers to the relationship between an intervention and the broader context. A mediation initiative is relevant, if it corresponds with the political and military circumstances, which determine for example the level or duration of violence. For exploring the relevance of mediation are suitable following general questions: *Who mediated? How did the mediation relate to the broader conflict management strategy? Why how and when did the mediator get involved? What were the interests of the mediator in getting involved?*

These questions are actually related to the role of the EU in the Middle Eastern Peace Process, threatened by the increasing tensions between Israel (which continued in hindering the peace process by building settlements on the Western board of Jordan), and internally divided Palestinian National Authority (PNA) with radical movement Hamas (that rejected the outcomes of negotiations among Israel and the highest representative of the PNA, Mahmud Abbas from the Fatah movement). The conflict escalated by the intensified bombardment of the southern Israel, which took place after expiry of the six-month truce. The primary aim of the truce was to weaken the position of Hamas that has taken control over the territory of Gaza in 2007. In reality the six-month period served rather to the preparations for more intensive battle on both sides. Israel responded on December 27 by massive air strikes on Gaza, which resulted in many civilian victims and humanitarian crisis in this area.

The EU has played an important and active role in the Arab-Israeli peace process and together with the UN, US and Russia initiated a Quartet Roadmap. This action plan aimed to reach a fair and lasting peace in the Middle East, where independent, viable and contiguous Palestinian state could peacefully coexist with Israel without violent conflicts. Since the dominant actor in this initiative – the US, was fully employed with the change of administration, the EU tackled the role of mediator. The mission to the Middle East was comprised of the President of the EU General Affairs and External Relations Karel Schwarzenberg, member of the European Commission in charge of External Relations– Benita Ferrero-Waldner and the Secretary-General of the Council of the EU and High Representative for the Common Foreign and Security Policy – Javier Solana. With respect to the cooperation of current Presidency holder with the last and next one, the Foreign Ministers of France and Sweden also accompanied the EU mission. The composition of the team was balanced and showed a coordinated approach of representatives

from various EU institutions. The aim of the mission was based on the broader interests of the EU in the region and directed towards continuation of the Middle Eastern Peace Process. Thus the initiative to help in resolving the humanitarian crisis in Gaza fulfilled the criteria of relevance.

### **Coverage and Effectiveness**

These two principles are originally separated from each other, but for the purposes of the analysis they will be connected to avoid repetitive answers related to actors and issues addressed. “Coverage” maintains inclusion of parties, issues and regions in the mediation process. Thus the questions are: *Who participated in the mediation process? Who was excluded and why? Have the most relevant issues been addressed?* “Effectiveness” determinates if the intervention contributed to some important changes and if it succeeded in fulfilling its primary objectives. In result the relevant questions are: *What were the aims of the mediation? Were they clearly articulated to the parties? What were the direct and indirect effects of the mediation process? Did the behavior of the mediator change or diminish the reputation of international actors in conflict societies?*

The aims of the mission were: setting a dialogue with the EU partners in the Middle East, to monitor the actual situation and figure out, what are the possibilities for the re-establishment of peace in the Gaza strip and delivery of humanitarian aid to the local civilians.<sup>8</sup> These aims were expressed during talks with the Foreign Minister of Egypt – Ahmed Aboul Gheit, within the following visit in Israel to President Shimon Peres, Prime Minister Ehud Olmert, Defense Minister Ehud Barak and Foreign Minister Tzipi Livni. The mediation process included also representatives of the Palestinian National Authority, namely Prime Minister and Finance Minister Salaam Fayad, President Mahmoud Abbas, and Foreign Minister Riyad al-Malki. Last target country was Jordan where the meeting with Prime Minister Nader al-Dahabi took place. Further, the highest representatives of the Czech EU Presidency- Mirek Topolánek and Karel Schwarzenberg participated on the summit in Egypt, where they insisted on reaching truce as necessary condition for fulfillment of the primary aim – to resolve the humanitarian crisis in Gaza. The high representative for CFSP visited also Syria, Lebanon and Turkey. In result, the expression of primary aims, involvement of the conflicting parties and inclusion of important regional actors may be perceived as fulfilled.

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<sup>8</sup> For detailed plans of the mission see more in the official press release of the Czech Ministry of Foreign Affairs: <http://www.eu2009.cz/en/news-and-documents/press-releases/the-czech-presidency-to-lead-the-eu-delegation-heading-for-the-middle-east-4667/>.

The most controversial problem often discussed in the context stems from the dilemma, if to include also terrorist organizations as Hamas in mediation talks. On one hand, negotiating could be interpreted as the sign of weakness and offset; consequently it could also deter other parties like Israel in this case from the mediation process. On the other hand, if there is taken in account the fact that right the movement Hamas is invoking the conflicts with Israel, it is hard to imagine that the peace process in the Middle East could successfully continue without the involvement of the direct offender. Although it is understandable, that prioritizing the inclusion of all parties could have blocked achievement of the main goals, this issue has to be resolved in the long-term perspective.

Exploring the improvement of the situation achieved thanks to the European mediation initiatives is quite problematic, because there was a diplomatic pressure on Israel both from the EU and also from the UN and the US. The results were influenced by multi-party efforts, since the main appeals from the EU to stop the Israeli bombardment of Gaza and enable exit for humanitarian aid were not achieved right after the first appeal on Israel, nonetheless still followed relatively early. After 22 days of invasion, Israel declared a unilateral ceasefire followed by announcing one-week cease-fire by Hamas, demanding immediate withdraw of Israeli forces from Gaza strip. On the other hand, the 22 days were long enough to bring more than thousand civilian victims, even more injured and 28 000 Palestinians forced to leave their homes.

Although there were multi-party negotiations with key actors, and various euro-skeptics often remind a relatively weak position of the EU, the particular negotiations were coordinated and directed to a common goal. Thus if posing the last question: '*Did the behavior of the mediator change or diminish the reputation of international actors in conflict societies?*' the answer is definitely 'no'. On the contrary, the EU mission was well timed, prepared, professional and did not ashamed neither the EU, nor the Czech representation in role of leader.

## **Sustainability**

This principle is evaluating the continuation of achieved results in the conflict situation. The questions are as follows: *Do the parties remain committed to the agreement after the mediation process? Are there mechanisms and guarantees for the implementation of the process? Did the mediators, sponsors or political backer impose unrealistic deadlines that brought the process to a premature end?*

In the context of the Gaza conflict all the questions are so far very premature and have to be answered negatively. The ceasefire reached after Israeli invasion is very breakable and future development in the Arab-Israeli conflict is at the moment unpredictable. Taking in account the often violations of the six month truce brokered by Egypt both by Hamas and by Israel, even if a peace agreement would have been achieved, the implementation would still remain very problematic. In result the questions of sustainability would be more apt for analysis with longer time distance, especially if the conflict in Gaza will be followed by renewed peace process in the Middle East.

## **Efficiency**

Third party efforts are usually perceived as efficient when the benefits outweigh the costs. For evaluation may serve questions: *How do the costs of a mediation process compare to its benefits in terms of humanitarian gains, change etc.? Were the resources set aside for the mediation process spent as planned?*

These calculations are in the case of mediation quite easy, because it is generally used right for the relative low-cost nature compared to maintained objectives often connected to humanitarian relief. The costs of the EU mission were spent efficiently and all planned visits for achievement of declared objectives were realized. In addition, the mediation mission was only component initiative followed by commitment to pledge resources at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza.<sup>9</sup> Taking in account the long-term interests of the EU in the Middle Eastern Peace Process, the high expenses are understandable if they should serve for economic stability and sustainable peace. All the same, right this strategy is often criticized because the impact of the EU in the region is short of expectations and should be greater. Again, this problem is more related to the broader context of the analyzed conflict, and though these objections, the mission provided in January directed to stop the Israeli invasion and enable humanitarian relief to civilians in Gaza was efficient and definitely paid off.

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<sup>9</sup> The total amount for the assistance was 439,9 Million EUR. For more information about EU spending to support Palestinians see: [http://ec.europa.eu/external\\_relations/occupied\\_palestinian\\_territory/ec\\_assistance/index\\_en.htm](http://ec.europa.eu/external_relations/occupied_palestinian_territory/ec_assistance/index_en.htm)

## **Coherence/ Coordination and Linkages**

The following questions serve to evaluate, if the intervention was in sync with larger policy context and strategy, if there were connections between various projects, and finally if different mediation initiatives were coordinated: *Where other third parties present before the mediation? Were links created to other conflict management actors, such as humanitarian organizations or peacekeeping missions? How were parallel mediation processes dealt with?*

Most of the issues answering these particular questions were already addressed in this paper within other evaluation principles and mostly lead to conclusion that the EU mission was well coordinated with efforts provided by the US and the UN. The aim was to stop fighting to enable exit for humanitarian organizations, and during the speech in the European Parliament, Karel Schwarzenberg also referred to the importance of gaining access to the affected territory of Gaza for delivering basic resources in a safe way.

Besides the coordination with external actors there emerged one delicate situation related to the internal EU coordination. When the president of France Nicolas Sarkozy arrived to the region separately from the official EU mission, the reactions in the media were perplexed and suggested a power competition among the European politicians. The real problem would have arrived, if Sarkozy had distanced himself from the official EU initiatives. In reality, the competition for leverage was rather happening in the media, as Karel Schwarzenberg later in various interviews confirmed, the whole European delegation cooperated tightly with president Sarkozy and there were no such tensions as was assumed.<sup>10</sup> His personal initiatives in cooperation with Egypt to propose an agreement were not successful and in any case could not harm the credibility of the EU mission. The active foreign policy of France under the leadership of president Sarkozy is very well known and often presented as certain “threat” for less pushing politicians, but it does not reflect reality and his activities did not have such fundamental impact on the mediation results neither in a positive nor in a negative sense.

Parallel mediation process in this conflict actually contributed to the cease-fire, the EU delegation was followed by US administration demanding from Israel the immediate end of invasion in Gaza. Although this requirement was declared earlier by the EU delegation and not

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<sup>10</sup> See also <http://euobserver.com/9/27340>.

fulfilled, the mission helped to open communication, and prepared ground for further negotiations.

### **Consistency with Values**

This requirement allows certain move from assessing the mediation outcomes to the process itself, since it should be lead by basic principles as: impartiality, obligations to parties and people, the voluntary character of mediation etc. For evaluating the respect of these values are usually used questions: *What are the values and norms with which the mediators approached the process? How did the mediators address issues with a normative dimension such as human rights? Was the mediation process voluntary for the parties?*

The problem of consistency with values is very often underestimated or even ignored, because the evaluation of mediation process it too concerned with the positive outcome ideally in the form of reaching peace-agreement. As was stressed in the theoretical part, such unambiguous result is not so common in the statistics of mediation efforts; moreover it does not mean necessary success, if there is a lack of implementation. Still reaching the cease-fire in the problematic situation of Gaza was absolutely prioritized, and in the medial discourse the first refusal of Israel to stop the bombardment immediately brought also strong criticism of the whole EU mission. Obviously, these commentators are not very much aware of the basic principles and values of mediation, which should help parties to reach a compromise but not to enforce it. In the case of the power-based model there are sometimes included some manipulative techniques to push on parties, but the results still have to be voluntary and foremost achieved by the conflicting parties.

The EU mission acted according to these values, which was the reason for its reserved position towards suggesting a concrete plan or peace agreement.<sup>11</sup> The assertion of truce was intended foremost to end the serious jeopardy for the local civilians. The appeal on the conflicting parties to enable the access to humanitarian aid to Gaza strip was a relevant proposal according to humanitarian law and human rights principles. These aims were clearly declared to all involved parties by the European mission, which was accused from insufficient pressure on Israel to stop the invasion. Looking from perspective of values, the EU tried to stress the right of

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<sup>11</sup> When the Ministers of Foreign Affairs of the EU met in Paris on December 30, they expressed a common opinion that even the right of self-defense declared by Israel does not give right to actions, which are resulting in suffering of civilian population.

self-defense and consequently has been criticized for supporting Israel. On the other hand the negotiations with Israel were rather diplomatic than supportive, because the humanitarian assistance for people in Gaza was possible only by convincing Israel to stop the invasion. In result, the mission subordinated the need to stress the guilt of Israel to be able to negotiate. In principle this was not just as the invasion broke humanitarian law, but the role of mediator is not to judge conflicting parties, but to do the best to decrease the tensions among conflicting parties and intermediate better communication.

## **Conclusions and Recommendations**

The approach assumed in this paper was context-specific understanding of mediation activities, depending on the characteristics of evaluated case study. Thus, it does not serve for making generalizations about potentials for successful mediation. Rather, it helps to more sophisticated evaluation of mediation activities, which was so far too simplistic or not relevant for the complicated nature of current conflicts. The theoretical discussion of mediation demonstrated the absence of generally acceptable framework for evaluating mediation. The most progressive efforts in this area were provided within the European Initiative for Peacebuilding, concretely in the report *Evaluating Peace Mediation*, in which the authors proposed a context-specific framework for analysis. This approach was adopted and applied on the EU mediation initiatives in Gaza (taking place since January 2009) in the following way.

The analysis started by the identification of dominant mediation type – *power based*, adopted during intervention into the conflict between Israel and the radical movement Hamas, in the area of Gaza, in turn of the years 2008 and 2009. Here it is important to note, that the evaluated mediation process was briefly related to the broader context of the past conflict resolution efforts in the Arab-Israeli conflict, nonetheless those activities were not analyzed in a detailed way. In other words, the aim of this paper was to assess the activity of concrete actor – mediation of the European Union, due to concrete problem - Israeli bombardment of the area of Gaza, within a certain time period – end of December 2008 till January 2009. Such limited frame of activities was explored via above-mentioned eight principles of mediation – *relevance, effectiveness, sustainability, efficiency, coherence, linkages, coverage and consistency with values*. The resulting information may help to evaluate the relative successfulness of mediation

with respect to the specific circumstances and events of this particular conflict. Based on results from the suggested evaluation framework, applied on a concrete case study, there can be provided a set of recommendations for the European Union, how to better understand, evaluate and ideally in future also provide mediation in conflicts.

It would be very cynical to denominate the conflict results as ‘success’, but with a certain time distance, there are also positive aspects resulting from this analysis. First, the EU strengthened its position towards the Middle East and demonstrated a clear intention to play more important role in the future peace process. The aim was not (and should not be) to show how strong the leverage of the EU really is, but to demonstrate the ability to open a dialogue among conflicting parties and coordinate the various Institutions of the EU to realize common steps. Second, the invasion disturbed the status quo in the long-term Arab-Israeli conflict and reflected a real necessity to continue in its resolution more intensively, including the assistance of third parties. That is the real challenge. Third, the EU should stop comparing itself with other international actors and instead of gaining upon the US it would be more effective to maintain its own qualities in conflict resolution. These are foremost building dialogues among various conflicting parties, high level of expertise and professionalism, and foremost promotion of soft instruments in international politics. That is not little. As Hannah Arendt once said: ‘*Power and violence are the opposites; where the one rules absolutely, the other is absent. Violence appears where power is in jeopardy, but left to its own course it ends in power’s disappearance.*’ (Arendt 1970: 56)

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# **European Union's Involvement in The Democratic Republic of Congo (DRC)**

**Kristýna Syslová**

**Abstract:** Since the outbreak of the so-called First African War more than 5,4 million people have died in the Democratic Republic of Congo [DRC]. The EU has been increasingly active in the DRC, with its involvement ranging from development and humanitarian aid, diplomatic, technical support through engagement in transition, innovative and electoral processes to military operations. Starting with the military operation Artemis, the EUPOL KINSHASA was then followed by EUPOL RD CONGO, and a simultaneously running mission EUFOR. EU also assisted with the political cooperation and the Security Sector Reform (EUSEC) and together with its member states is the biggest financial contributor to the transition process in DRC. However, despite all these efforts, the situation in DRC is still unstable. Since December 2008, more than 130 000 people have been displaced in northern DRC and just within two months, 896 people were killed and 711 abducted by the Ugandan Lord's Resistance Army. Currently, there is news about an improvement of the situation in DRC, nevertheless, the atrocities are still occurring there. The DRC will therefore need further EU's assistance, particularly in the long-term peace-building process.

## **Introduction**

Civilians living in what is now the Democratic Republic of Congo [DRC] have been tortured and suffered from other kinds of violence for more than 120 years, starting at the time of colonization and lasting until present days. The EU has been continuously engaged in peace-making/keeping process including security and developmental issues, and it has been the largest aid donor to DRC so far. However, how effective has it been, particularly in the terms of the humanitarian crisis and stopping the violence committed on civilians and what else could be done?

Despite the peace agreements and news stating that the war is over, the conflict among and between armed militias and government forces in the Democratic Republic of Congo still carries on and so does the "war". The violation of basic human rights, impunity, abuses and other crimes against humanity still continue in DRC. Since the outbreak of the so-called First African War conflict more than 5.4 million people have died there. Just within the last year there have been thousands of displaced persons, hundreds of civilians killed, thousands of women and girls raped, and estimated 400 000 people fled their homes (Human Rights Watch 2009). The DRC is a fragile state being in a state of humanitarian crisis and in desperate need of a peace-building

process. The EU altogether with the international community should take serious steps towards improvement of the DRC's situation.

## **The Democratic Republic of Congo: A Brief Overview**

The DRC's struggles started in 1885, when King Leopold II of Belgium violently colonized and exploited the country's natural resources to self-enrichment whilst violating basic human rights of the native population through cruel forced labour until 1908. An estimated 8-10 million people had died from the violence, killings, forced labor and starvation during Leopold's reign (V-DAY 2009). Despite changing leadership the exploitation continued, including a 32-year "kleptocratic" rule by Colonel Joseph Desire Mobutu Sese Soko, who also systematically used the Congo's mineral wealth to enrich himself and his allies (Shah 2008).

The 1996-1997 war drove out President Mobutu and Laurent-Desire Kabila was brought to power ensuring the African First war<sup>12</sup> in August 1998 (Shah 2008). Even though in 2001 there was a turning point when Laurent-Désiré Kabila was assassinated and his son, Joseph Kabila, came to power; and during 2002 a crucial breakthrough was reached in the Congolese peace process, "both at the national<sup>13</sup> and the regional<sup>14</sup> levels, the efforts of the international community resulted in the Pretoria All Inclusive Political Agreement signed on 17 December 2002" (Hoebeke et al. 2007: 4) and the transition process based on previous evolution in DRC started in 2003, it can be stated that during all this time the DRC was in a state of humanitarian crisis. The horrible atrocities, crimes against humanity, femicide<sup>15</sup> and all other violations of basic human rights, which are uninterruptedly taking place in DRC since late 19<sup>th</sup> century were still neither stopped nor interrupted for significantly long period of time (V-DAY 2009).

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<sup>12</sup> First African War a conflict involving seven nations DRC, Rwanda, Uganda, Burundi, Angola, Zimbabwe and Namibia (Shah, 2008).

<sup>13</sup> Inter-Congolese Dialogue is the agreement reached in April 2002 between the government of the DRC and the rebel Mouvement pour la libération du Congo (MLC), signed by more than 70 percent of the delegates taking part in the inter-Congolese dialogue (ICD) in Sun City, South Africa. Of about 366 delegates at the ICD, at least 258 had signed the agreement (Global Policy Forum 2002).

<sup>14</sup> Pretoria Agreement (Rwanda-DRC) and Luanda Agreement (Angola-DRC) (Hoebeke et al. 2007: 4).

<sup>15</sup> Femicide is the systematic destruction of the female population (V-DAY 2009).

## **The European Union and the Democratic Republic of Congo**

The EU's Council, Commission and some Member States' involvement in DRC has a long history. Since 1996, the EU has worked on harmonization of its position in DRC, in particular through its diplomatic initiative and assistance in DRC's peace process in the form of presence of the Special Representative of the EU (EUSR) for the African Great Lakes Region, Aldo Ajello at that time. The EUSR mission included a number of important activities, including political guidance, maintaining regular contact with the local government and monitored, reporting and making recommendations on coherence and effectiveness of cooperation between EU and local actors as well as within the different EU's actors involved in DRC missions and activities themselves. All those contributions provided by EUSR helped to increase the effectiveness of EU's involvement in DRC.

The current mandate requires the Special Representative to work towards delivering an effective EU policy in the region, contributing to stability and promoting democracy, good governance, human rights and the rule of law with a Roeland van de Geer as a new EUSR (Hoebeke et al. 2007: 7). The EU's involvement in Africa is set out through the Cotonou Agreement, signed in 2000, setting up a „framework for co-operation between the European Community, and its Member States, with the African, Caribbean and Pacific Group of States with the goal of promoting and escalating the economic, social and cultural development of the ACP States, contributing to peace and security and promoting a stable and democratic political environment (QCEA).” However, it was the “security-development nexus embraced by the international community after the 9/11 attacks”, which increased the EU's involvement in DRC. Particularly the EU's ESDP operations, which were driven by the “generally agreed upon” notion “that the multitude of challenges and threats emanating from fragile or failing states (...) require the need for an agile and multi-faceted response” (QCEA). In other words the international community, including EU, began to acknowledge that there is “no security without development and no development without security” (Hoebeke et al. 2007: 3, 4).

As for the EU's actual involvement in DRC, the EU participated in the peacemaking process and during 2002 there was a significant progress made when the Sun City peace agreement was signed, starting the transition period. EU has identified DRC as a priority country,

which resulted in strong political action and more opportunity for EU involvement, while specific attention was paid to security issues (European Commission 2008). The EU has been particularly focusing on supporting free and democratic election processes.<sup>16</sup> The EU became the main sponsor of the transition process in DRC, particularly considering that its 2006 first democratic election budget was from 80 % paid by EU (Vervaeke 2006).

The EU also supported DRC's development, stability and the national as well as regional initiatives in the DRC through number of programs and projects, for example, the Comité International d'Appui à la Transition [CIAT], the Multi-Country Demobilization and Reintegration Program<sup>17</sup> [MDRP] and the 'Regional Conference for the African Great Lakes Region. Both the Commission and the Council are also part of the Great Lakes Contact Group, which regularly brings together the international actors most involved in the DRC<sup>18</sup> (Hoebeke et al. 2007: 3). In 2005, another document was adopted to provide the framework of the European security and peace involvement in Africa - The EU and Africa: Towards a strategic partnership (QCEA). Also the Country Strategy Papers [CSP] provide framework for external assistance programs through which EU support the reconstruction and stabilization in some regions of the country.

Yet, the most significant on the ground engagements started within the last couple of years (starting in 2003), particularly in the form of EU's European Security and Defense Policy [ESDP] missions. The first mission established and sent to DRC was a small military operation Artemis (6/2003 – 9/2003) with the goal of supporting the process of stabilization of the DRC, increasing security, protecting refugees and improving the humanitarian situation in the eastern part of DRC – Bunia (The Council of the European Union a). Even though it was a very short operation with a very limited mandate, its timing, in line with the beginning of the transition process in DRC, had a positive impact as it brought an attention to the justice sector leading to set up the base for the REJUSCO program.<sup>19</sup> Artemis allowed MONUC<sup>20</sup> time to “augment its

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<sup>16</sup> The four main areas: voter awareness and sensitisation; securing the election process; monitoring and accepting the outcome of the election processes (Vervaeke 2006).

<sup>17</sup> The MDRP covers the following countries: Angola, Burundi, the Central African Republic, the DRC, Namibia, the Republic of Congo, Rwanda, Uganda and Zimbabwe (Hoebeke et al. 2007: 3).

<sup>18</sup> This includes : Angola, Belgium, the EU, France, the Netherlands, South Africa, the UK, and the USA and as observers the World Bank and MONUC (Hoebeke et al. 2007: 3).

<sup>19</sup> REJUSCO program (6/2006) Commission in collaboration with Netherlands, UK and Belgium set the program which will reinforce the whole chain of penal justice with support to the police, the judicial institutions (prisons) and actors involved within (Hoebeke 2007:9).

capacity on the ground and its mandate and thus maintain the UN's credibility in the peace process" (Hoebeke 2007:8) and contributed greatly to improvement of the security situation in Bunia itself (Amnesty International 2003).

The next EU's mission to DRC, the EUPOL KINSHASA (4/2005 – 6/2007) took place during the first democratic electoral period in 2006 (The Council of the European Union b). It was established to help to set up and support the Congolese National Police's Intergovernmental Police Unit [IPU], "to ensure the protection of the transition institutions and to reinforce the internal security apparatus." (Hoebeke 2007:9) The IPU project included "technical assistance and rehabilitation of a training centre and the provision of basic operational equipment; training of the IPU and the deployment phase with follow up; monitoring and mentoring of the concrete implementation of the IPU's mandate after the initial training phase (Hoebele 2007:9,10). This mission was followed by EUPOL RD CONGO (7/2007) deployed to assist the DRC authorities with the police reform. (The Council of the European Union c)

There was also a simultaneously running mission EUFOR (4/2006 – 10/2006), which was supporting the UN's MONUC operation during the electoral period as an accompanying mission to the EUPOL KINSHASA (The Council of the European Union d). Even in the recent years European Union is still being involved in the ongoing in DRC, through the current and recently prolonged EUSEC RD CONGO mission (6/2005-6/2009), which is tasked with providing help, advice and assistance to Congolese authorities, particularly security-wise ones like the protection of human rights, democracy and the rule of law (The Council of the European Union e). The EUSEC's purpose was to deliver "technical expertise on command and control, budgetary and financial management, training, accountancy and dealing with contract and tenders" (Hoebeke 2007:11). An important part of the mission was that it set up project aiming at setting up a chain of payment project for The Armed Forces of the Democratic Republic of Congo [FARDC] which eliminate the amount of corruption and improve the living conditions of FARDC soldiers and their families (Hoebeke 2007:11).

The European Commission and the Member States also support the civilian victims of the conflict by providing a humanitarian aid. Since 2003, EUR 300 million donated by the European

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<sup>20</sup> MONUC is the United Nations Organisation Mission in the Democratic Republic of Congo. The United Nations Security Council, Department of Peace Keeping Operations [DPKO] established MONUC to facilitate the implementation of the Lusaka Ceasefire Agreement signed in 1999 (MONUC 1999-2006).

Commission, particularly through its humanitarian assistance and rehabilitation and capacity building programmes. The DRC also benefited from additional funding under the Commission budget, namely the humanitarian assistance [ECHO], which accounted for EUR 50 million in 2007. The EU still contributes to attempts to find a political solution to the DRC's crisis, particularly by providing a further EUR 45,6 million in humanitarian aid additional to the EUR 75 million from the European Development Fund [EDF]<sup>21</sup> allocated for post-urgency programmes and EUR 50 million of EC humanitarian aid in 2008.

Yet was that enough? Over the last year, the humanitarian crisis situation in DRC dramatically worsened, the January ceasefire<sup>22</sup> or so-called Goma Peace had been neither maintained nor consolidated. Just since September at least 50 civilians were killed and others violently attacked during the battle over the east of DRC (CNDP: L. Nkunda), 253 000 people has been displaced in Eastern part of DRC (North-Kivu) and "humanitarian black holes"<sup>23</sup> occurred in North-Kivu province (news24. 2008h, j).

There has been an alarming need for strong, radical action from international community, including EU, but that did not happen. The European Union met on 10<sup>th</sup> November 2008 to talk about the situation in the eastern Congo where the Council discussed the situation and expressed high concern about this situation and its humanitarian consequences, called for respect of the January 2008 Ceasefire and stopping the serious violations of human rights, the use of child soldiers and systematic sexual violence in particular. The Council also stated that it will continue in cooperation with the Congolese authorities and support for MONUC's actions etc (Council of the European Union 2008). However, the follow up visit of Foreign Ministers Bernard Kouchner (France) and David Miliband (UK) to Goma on November 13, 2008 did not bring much except of media attention and nice talks (Wynn 2008). What is more when the UN was close to "approving 3000 more peacekeeping troops for (...) in war-stricken areas of eastern Congo" (news24. 2008i),

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<sup>21</sup> The European Development Fund [EDF] is the main instrument for providing Community aid for development cooperation in the African, Caribbean and Pacific States and Overseas Countries and Territories. EDF is as funded by the Member States subject to its own financial rules and managed by a specific committee (European Development Fund 2007).

<sup>22</sup> A peace agreement of January 2000, the 23 agreement, signed in the city of Goma between government and 22 armed groups active in eastern Congo, lays out plans for demobilization of certain militia and their integration into the Congolese national army, known as FARDC. The FDLR, extremist Hutu militia lead by exiled perpetrators of the 1994 Rwandan genocide, was not party to the agreement (Mc Murry 2008).

<sup>23</sup> Humanitarian Black Hole is the suspension of the humanitarian operation over the zone which is in need of the humanitarian support (protection, support, supplies etc) (News24 2008j).

the majority of the EU member states, except for Belgium, showed little enthusiasm to do so (Afrik 2008).

As it has been already mentioned above, the Council continuously keeps a close eye on the political, humanitarian and security situation in the DRC, yet not every time it takes particular steps to improve it and sometimes even the fulfillment if the given promises is lacking. For instance, the EU's promise to support the monitoring, much needed after the January 2008 Goma Peace Agreement, has not been fulfilled yet (Human Rights Watch 2009). The people of Congo were still left unprotected from the armed groups when managing their everyday life tasks (Wynn 2008). Just over three days during December at least 600 people brutally killed and the groups of rebels attacked the villages, raped, kidnapped and slaughtered civilians, children included (Wynn 2008).

The latest news reports issued after the announcements that some of DRC's warring groups bases has been significantly weakened and that the DRC's and Rwandan's joint operation resulted in the arrest of the Congolese Tutsi rebel leader Laurent Nkunda, claimed that the conflict in the DRC's east is over. However, the new wave of killings occurred as the LRA killed hundreds of civilians in revenge attacks and more than 130 000 people have been displaced, 896 killed and 711 in northern DRC Congo after those fresh attacks (News24 2009a,b,c,d,e,f,g). According to the UN, “160 000 people have fled their homes this year following fighting with the Democratic Liberation Forces of Rwanda [FDLR] (...) 30 000 people have fled raids by the Hutu FDLR militia in eastern Democratic Republic of Congo over the past two weeks” (BBC news 2009).

The EU still carries on with donations and other involvement, putting an emphasis on peace, security and stability etc. but what is missing is the comprehensive and coherent “on the ground” peace-building engagement. The DRC has all characteristics of a fragile state, there is a need to build it up and start from the very beginning and most importantly by acknowledging the fact that development is inter-linked with security, so governance and justice cannot be achieved if those issues are isolated and treated separately. What is needed in DRC is not just stopping the violence and achieving the so-called the negative peace<sup>24</sup> - positive peace<sup>25</sup> is a must for all the

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<sup>24</sup> Negative peace can be defined as an ‘absence of violence’ (Galtung, 1985: 145).

<sup>25</sup> Positive peace can be defined as an actual conflict resolution, involving ‘cooperation, integration and harmony’ (Galtung, 1985: 145).

parties involved in the DRC's peace-building process (Galtung, 1985: 145). The DRC will need a complex and coherent action which would include complete disarmament whilst providing humanitarian aid, starting from housing, health care, education and job opportunities through which it will be building a civil society and carrying on with further social, economical and political issues like the real democratic elections and the recovery of basic relationships and social structures amongst people.

This requires a long-term commitment, financially exhausting, complicated but necessary and even benefiting for EU. Why? Not just that one can appeal on the morality and humanity, but the huge economic potential which DRC has for the EU should be highlighted at this point. The DRC is a strategically important country as it is the richest African country in natural and mineral resources (minerals, oil, forest and fertile lands). Paradoxically then, the "resource curse"<sup>26</sup> which mainly drives the war and the violence right at the moment, can also become the remedy for DRC – when used to enrich the country and its people, the DRC can become economically strong and therefore lucrative partner when it comes to trade. Furthermore, the DRC is, due to its size (over 2.3 million km<sup>2</sup>) and strategic location (in the middle of central and southern Africa), pivotal for development of the Great Lakes region as well as the whole central and southern Africa (European Commission 2008). The Commission already supports the revival of the Economic Community of the Great Lakes by many projects and for instance the EU's Trust Fund<sup>27</sup> (EIB 2009). There also exist an ongoing Economic Partnership Agreement<sup>28</sup> [EPA], the duty free market trade contract between EU and ACP, which the DRC joined in 2005 (Agritrade 2009). The EU is, indeed, trying to secure its strategic partnership with DRC, thus it should make sure that there will be a fully functioning market developed.

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<sup>26</sup> The 'resource curse' is an evident hundred years later the link between the plundering of resources and the violence. The fight for control over natural resources, ranging from basic ones as is the water to minerals such as diamonds, coltan, tin, copper or timber (Shah 2008).

<sup>27</sup> The EU-Africa Infrastructure Trust Fund launched in 2007 under its Partnership for Africa; The Infrastructure fund will provide grant-support for: interest rate subsidies, project technical assistance/feasibility studies, one-off grants for environmental or social components linked to projects, payment of early-stage, risk-mitigation insurance premiums (EIB 2009).

<sup>28</sup> EU & The Central Africa ACP group including DRC, Cameroon, the Central African Republic (CAR), Chad, Congo (Brazzaville), Gabon and Equatorial Guinea have under EPAs, the duty to reciprocate the duty-free access that they receive for their products on the EU market. Econometric studies commissioned by the European Commission to assess the impact that this will have on ACP economies are largely inconclusive and show no significant net welfare gains. The usefulness of these studies is limited, however, since they do not include services – an important sector in African economies – or long-term dynamics – such as the impact that EPAs may have on resource and job reallocations (Agritrade 2009).

As has been demonstrated above, the EU is involved in DRC in many different ways. This can be regarded as a positive feature, however, there is a very significant problem with coherence and even sometimes coordination of EU's involvement and that is the fact that the Commission and the Council, both engaged in DRC, have rather different strategic perspectives. The Commission puts emphasis on the long-term involvement, highlighting the importance of good governance and transparency, whilst the Council is focusing on rapid reaction crisis-management with an immediate interest for stabilization. Also the situational analyses produced by both institutions have entirely different bases and sources of information, which makes operational coordination even more difficult. The coordination between the EU's actors involved in DRC (EUSR, Delegations, Heads of Missions) is dependent on personal contacts and therefore is very vulnerable (Hoebke 2007:14). In order to make the EU's involvement more effective and efficient, the establishment of "governance compact on the DRC" and a more structural coordination would be crucial elements (Hoebke 2007:14).

The ratification of the Lisbon Treaty<sup>29</sup> could bring some positive changes, namely in more effective coordination and greater consistency of the EU's Foreign Policy as it would, by creating a High Representative of the Union for Foreign Affairs and Security Policy position with a multifunctional post coverage,<sup>30</sup> link closer the Council and Commission (Council of the European Union 2007:16). Yet this is still question of future to come.

Even though the EU's engagement has, indeed, been more or less beneficial to DRC, the situation there still can be described as rather problematic. It can be stated that the DRC is in the middle of never-ending circle of problems, one arising from the other. Indeed, the DRC as a country, has been ravaged and unstable for too long to be saved within couple of years. The centuries lasting suffering of civilians makes the situation even more complicated, as the trust towards any leader, government or a system is missing and needs to be built from the scratch. There is a lack of a strong civil society, families and entire communities were destroyed, in a very

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<sup>29</sup> The Lisbon Treaty would bring most important changes in following issues: foreign policy issues; the rights charter, the voting issue; the division of power between member states and the union and the role of national parliaments. For more information please read the full text of Lisbon Treaty (Lisbon Treaty 2007).

<sup>30</sup> The post of High Representative of the Union for Foreign Affairs and Security Policy would be merged with that of the European Commissioner for External Relations (Benita Ferrero-Waldner) and the High Representative for the Common Foreign and Security Policy (Javier Solana). The Minister would also be a Vice-President in the Commission and chair the Council of Ministers in its Foreign Affairs configuration (Europa)

cruel way, as rape in its most brutal shape has been used as a weapon of war in DRC, and many other horrible atrocities happened over the time and are still happening.

## **Recommendations**

The EU should reconsider its approach towards the DRC's humanitarian crisis and, where helpful and effective, carry on with its current involvement whilst taking steps in the terms of effectiveness of the peace-building in DRC. As mentioned above there are various instruments available for EU's involvement in DRC, e.g. crisis-management tools, diplomatic pressure, humanitarian intervention, long-term peace-building and development strategies etc. As such the EU, as already being one of the most important players in DRC, has a very good base for significant increase and complexion of its involvement, building a strategic position for the potential lucrative trade partnership in the future.

But first of all the DRC needs to be secured and stabilized. In order to achieve this, EU should carry on with the current involvement in DRC, continue to support UN's MONUC, provide humanitarian aid and stick to the above mentioned proposals, promises and already existing programs trying to increase its effectiveness and benefiting to maximum. The EU needs to support the empowerment of the DRC's civilians by directly helping the local NGO's. The EU should also support the non-governmental free media, cooperate with local social networking organizations to build up a trust between government and, as well as amongst, the DRC's civilians. In the terms of human rights the EU should fulfill its promise to contribute to the implementation of the European Union human rights policy and European Union Guidelines on human rights<sup>31</sup> (General Affairs Council 2001). The EU should also carry on in substantially increasing its financial assistance. In June 2005 the EU committed itself collectively to increase official aid to 0.56% of gross national income (GNI) by 2010 and to 0.7% by 2015 (EU Strategy for Africa 2005). Also the Commission's CSP, for the period 2008-2013, 'mobilizes an initial amount of EUR 561 million under the 10<sup>th</sup> EDF' (European Commission 2008).

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<sup>31</sup> In particular the European Union Guidelines on Children and Armed Conflict, and the European Union policy regarding UN Security Council Resolution 1325 (2000) on Women, Peace and Security, including monitoring and reporting on developments in this regard (General Affairs Council 2001).

Yet, what the country needs more than aid is the build up capacity and capability to use its own resources and turn those into source of equitable income. Therefore, the transparent, effective and accountable financial management, in both micro<sup>32</sup> as well as macro<sup>33</sup> economic system, will be needed, the public finances as well as donors aid must be monitored more effectively and used to further improve the governance, administration and the overall professionalization of the civil services. The financial aid then should be used to address the root causes of problems in DRC (poverty and instability) and concentrate on from the scratch security, peace and development building. The EU should also work on the “governance Compact” on the DRC, improving its situational awareness and minimizing the vulnerability of coordination between EU institutions, in this case the European Commission and European Council’s projects (Hoebeke 2007:14).

## Conclusion

The EU is supporting the DRC in various ways through humanitarian aid, funding, many different missions, programs and projects. By using its political and diplomatic means it aims to strengthen the regional security, stability and integration. Despite the success of some of the actions taken by EU, there still is recurrence of violence in the DRC, especially in the eastern part. The EU should carry on with its current engagement, yet also try to improve its approach, particularly in the terms of coherence and complexity of its involvement coordination. It is a fact that the EU does not posses such large capacities in the terms of military forces as for instance the US, and there are many obstacles which make the conduct of operations and its very coordination difficult, yet there are chances for future improvements.

By carrying on with and strengthening its engagement in DRC the EU’s investment put in there should have, at least in the terms of potential trade, possibilities for payback. Nevertheless, despite the economical, trade and security-wise strategic reasons, the claimed and promoted humanity and concern about fundamental human rights, the EU should be the driving wheel to action by itself and the very fact that people of DRC are still dying and suffering should not be overlooked.

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<sup>32</sup> Microeconomy concentrates on individuals and their economic decisions (Mudrova 2007).

<sup>33</sup> Macroeconomy concentrates on national economy and its changes etc (Mudrova 2007).

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# **The EU's Involvement in the Cyprus Issue**

**Kateřina Šíchová**

**Abstract:** The aim of this paper is to show how a relatively small island can be an obstacle to the politics of big countries and how the EU got involved in the Cyprus issue even though it did not want to. It highlights the discussions between the European Union and its member states – namely France and Greece – with then Greek Cypriots, Turkish Cypriots and also Turkey. The paper also discusses whether the EU has behaved according not only to its position but also to its rules, which had been set for all countries willing to apply for the membership. The question is also whether the EU was at least willing to find a solution to the Cyprus issue before the Republic of Cyprus became a full member and/or whether the EU was only following the “stream” of events.

## **Introduction**

The aim of this paper is to show how a relatively small island can be an obstacle to the politics of big countries and how the EU got involved in the Cyprus issue even though it did not want to. Due to its geo-strategic position in the eastern Mediterranean region – at the crossing point of three regions and their trading lines - Cyprus has always been in the centre of interests not only of Greece and Turkey. According to a legend Cyprus, was the birthplace of the goddess of beauty – Aphrodite. However, modern history of Cyprus has been affected by the never ending tension and antagonism between Greece and Turkey.

The current form of the conflict between the Greek and the Turkish parts is the result of religious and ethnic dividing lines in the region, hence the image of dividing lines between Christianity and Islam. Cyprus and its inhabitants have always been "outsiders". Cypriots themselves were not those who would decide on their destiny. This was usually decided by powers or forces from the outside, which affected the Cypriots adversely.

## **The Cyprus Issue and the European Union**

If we take into account the influence of certain EU member states, the EU has been influencing the Cyprus issue since the 1960's when Greece and Turkey became associate members to the EEC and the United Kingdom applied for the EEC membership. Since Cyprus and the United Kingdom have been interconnected economically, it was obvious that Cyprus would apply for the

EEC membership too. By the British application Cyprus got into the sphere of the EEC influence, but it was evident that if the United Kingdom becomes a member of the EU, Cyprus will lose the benefits of the interdependence (Müftüler-Bac et Güney 2005: 253). Also for this reason Cyprus began to struggle for the EEC membership but according to the then trend in Cyprus it soon became evident that the future of the island is not within the EEC but along Greece and Turkey or in sign of drawing apart from the Western European tendency.

The EEC membership was along with the UK also offered to Cyprus. There were several reasons why the EEC made this offer. First, it was the size of the Cyprus island which would ease its integration and secondly it would maintain its post-colonial ties. We also have to bear in mind the political situation in Europe at that time when in the context of the Cold War it was very important to have an impact on Cyprus for strategic reasons. Anyway this was mostly a product of the British calculation. However, these trends were halted in 1963 when the French president Charles de Gaulle vetoed the British application to the EEC.

The EEC becomes involved in Cyprus for the second time in the 1970's when the United Kingdom becomes a full member of the EEC (on the 3<sup>rd</sup> attempt) in 1971. During the pre-accession negotiations (between the UK and the EEC) Cyprus – in light of that time situation – represented only by the Greek administration decided to keep the relations with the EEC rather on the level of the associated membership than the full membership. The Association agreement between the EC and Cyprus was then signed in 1973 (Müftüler-Bac et Güney 2005: 284) although the political situation in Cyprus was rather unstable. The EC claimed that the interests were only in economic terms therefore the political aspects were irrelevant. The signing of the Association Agreement was just the first example when the EC (and later EU) stressed on economic interest while the political circumstances had been disregarded. The first problems connected to the Association Agreement between the EC and Cyprus came up immediately after the signature of the agreement when they tried to implement the antidiscrimination clause. The reason why it could not work was the fact that there were not two independent states but only one internationally recognized as the Cyprus republic. But this republic consisted of two entities while representing in its institutions only one - the Greek entity. This fact only worsened the relations between the Greek Cypriots and the Turks Cypriots.

The turning point in the relations came with the events of 1974 – first with the Greek-Cypriots coup d'état when the Archbishop Makarios was “dethroned” and replaced by Nikos

Sampson. The European Community was aware that this Greek action was against the London-Zurich Agreements and at the same time was afraid of the possible Turkish reaction. Because of both reasons the EEC made a statement confirming the independence and territorial integrity of the Cyprus republic but also the disagreement with the Greek actions. However, even though the European community tried to use tools of preventive diplomacy the Turkish troops had already been in Cyprus.

After the Turkish invasion of Cyprus, the EC kept not only economic but also diplomatic relations just with the Greek-Cypriots administrative. When Greece became a full member of the EC in 1981, the relations with the Cypriots entities and the Cyprus issue itself became a part of the EC politics. The Turkish side was afraid that the EC decision-making process and the institutions themselves would become Greek hostages. On one side we can say that this Turkish fear was understandable since it was just obvious that Greece would fight for the Cyprus membership, which might have been seen as another attempt of the “enosis”.<sup>34</sup> Turkey was also afraid that Greece would fight against the international recognition of Northern Cyprus while preventing any kind of improvement in the EC-Turkey relations by setting conditions for Turkey such as to resolve the Cyprus issue.

In 1988 the Association Agreement between EC and the Cyprus republic entered the 2<sup>nd</sup> phase by implementing the Customs union. This step influenced the economical but also the political dimension of the Cyprus issue since within the Customs union the Cyprus republic was mentioned as a whole while taking into account only the Greek part (Theophanous 2000: 222) The situation got even worse when the Cyprus republic applied for the EC membership in July 1990, which was understood as a natural evolution of the EC-Cyprus relation. Greece and the Greek Cypriots saw in the EC membership a possible solution to the Cyprus issue when EC would assist as a mediator for the possible reunification of the island and the withdrawal of the Turkish troops from the northern part of Cyprus. The European Community was willing to act as a mediator in the Cyprus issue but not as an active player because a couple of negotiation frameworks had already been set within the UN, which should have provided a base for the negotiations. It is also important to bear in mind that Cyprus applied for the EC membership during the Greek presidency and that Greece did not see any problem in the Cyprus application and wanted it to be proceeded as a standard enlargement procedure.

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<sup>34</sup> The Greek intention to unify the whole island to Greece during 1950's.

If we now come back to the Turkish fears we have to admit that they were not irrelevant since had Cyprus become an EC member the Greek side would win the whole lot and Turkey would gain a role of the outsider. In addition to this, if Cyprus became a member, Turkey and its troops would occupy a territory of an EC member state. However, it was not seen as just another enlargement. It took the European Commission nearly three years to reach a statement. This three-year delay was not caused only by the completion of the issue but mainly by the internal development within the EC/EU, which was needed to be solved out before the next enlargement – namely at that time the ratification of the Maastricht Treaty. The European Commission supported the Cyprus attitude towards the EU membership but not before the settlement of the island would be solved in a way that would be beneficiary in economic and also political meanings for both of the Cypriot communities. Only after that the accession negotiations might be launched (Akgün et al. 2005:41).

The European Commission focused in its Report on three main areas: the Cyprus qualification for the EU membership taken as a whole, the ability of Cyprus to adopt *acquis communautaire*, the current political situation in Cyprus and its possible implications for the EU membership. (Christou 2004:69) It was also mentioned in the Report that the Cyprus issue had been an issue that did not leave the table of the UN since the 1960's and that is why the settlement should be negotiated under the UN leadership and the EU should stay in the role of a mediator who would set the final goal – the EU membership. The European Commission rejected the protest of the Turkish Cypriots that the EU membership application of the Greek Cypriots (in the name of the whole – currently not existing – Cyprus republic) was illegal but at the same time the Commission agreed with the maintenance of the connections between the Cypriots and their communities in Greece or in Turkey.

The Turkish Cypriots considered the application of the “Cyprus republic” as illegal since this act was against the 1960 Constitution, which is de facto valid until today. According to its Constitution Cyprus cannot become a member of any international organization that Greece or Turkey are not already members of. Due to this article Cyprus could have become a member of the UN already in 1960 but the EU membership is in fact unreal until now. The Turkish Cypriots did not like mainly the fact that the European Commission took into account information only from the Greek Cypriots without asking the Turkish side. Because of that the confidence of the EU was declining in the Turkish eyes. It was true that the Commission was considering only the

Greek information but on the other hand they did not have any other information since the Turkish side did not communicate nor cooperate with the EU. (Müftüler-Bac et Güney 2005: 286)

In 1994 the EU decided to conclude Cyprus and Malta into the process of next enlargement. In the same year the European Court of Justice published rules for goods exported from the Turkish part of Cyprus – including fruit and vegetables – that were not convenient for the preferential regime within the EU.

One of the crucial moments that have influenced the current development was when the EU decided to start the accession negotiations with the Cyprus republic in 1995. (Theophanous 2000:223) At this stage the EU still thought that the perspective of the membership was that attractive for both of the communities that they would do their best to be able to find a solution to the Cyprus settlement so that Cyprus would enter the EU as a whole, as one state, at the best as a federation. This was also the reason why the settlement of the island was still a condition for the Cyprus membership in the EU. Since 1995 the Cyprus issue has become an issue of the Common Foreign and Security Policy of the EU and has become a tool that has been influencing not only the EU-Turkey relation but also the enlargement itself.

During 1995 the EU tried to improve the relation with Turkey by launching the Customs Union. But for that it was needed that Greece would change its refusal against Turkey and its possible EU membership. Greece used its veto against the Customs Union with Turkey twice claiming that it would not change its mind until the precise date of launching the negotiations with Cyprus would be set. Since the date was set, Greece let the Customs Union with Turkey become real but any other negotiations about the Cyprus settlement were influenced by the condition of the attitude towards Turkey and vice versa. We can say that from this moment on Cyprus has become a hostage of Greece and that the Turkish part became even more closely tied to Turkey.

In the Agenda 2000 the EU confirmed the positive tendency of Cyprus in implementing the *acquis communautaire* and stressed the need of finding a solution to the Cyprus settlement under the UN guidance. The EU was also concerned about the situation, which was threatening the stability and security not only in Cyprus but also within the whole region as well as the EU itself (Müftüler-Bac et Güney 2005: 287-288), by what might have been thought the relation Greece-Turkey-Cyprus-EU.

Another of the crucial moments that affected the relation of our “ménage a trois”, Greece-Cyprus-Turkey, was the outcome of the Luxembourg Summit in December 1997 when the opening date of the negotiations with Cyprus was finally set to March 1998 while Turkey was not even put to any of the groups of candidate countries.<sup>35</sup> Turkey was not even indicated as a candidate country although the member states agreed on its eligibility. But at the same time it was pointed out that Turkey does not meet neither economic nor political requirements with a special emphasis on respect for minority rights and the legal resolution of disputes. (Christou 2004: 77-79)

If we want to sum up the signals that EU sent to Turkey by these decisions we might get two antagonistic tendencies, which in fact describe the EU attitude towards Turkey throughout the whole process of the so called EU-Turkey convergence. The first signal might be characterized by the way that EU needs Turkey and that Turkey needs to set its direction to the EU. But on the other hand the EU kept distance towards Turkey while proclaiming that the “European gates” were open but at the same time the EU kept the relation with Turkey more conditional than with other candidate states. The EU wanted to show that it can't be frightened by the Cyprus issue and that it is Turkey who should solve the Cyprus settlement although the Cyprus issue is not only the Turkish responsibility but also the Greeks'. We have to bear in mind that Greece had already been an EU member state for a couple of years at that time, which gave Greece more or less hidden manipulation area towards Turkey and the Cyprus issue settlement. The EU behaved as the membership was something worth it and that being an EU member is a must for a future successful development of a country. It might have been this reason why the EU thought that after the Luxembourg Summit Turkey would do its best to shift its development towards the future EU membership. There is no doubt that Turkey was very disappointed by the Luxembourg Summit outcome since the EU opened its door to the Central and Eastern European countries, which by this decision got a priority to Turkey. From the Turkish point of view this was unfair since these countries used to be enemies just a few years ago and now they got the chance to become full members of the EU.

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<sup>35</sup> The first group was compiled by those states with the launch of negotiations in 1998: Hungary, Poland, the Czech Republic, Estonia, Slovenia and Cyprus. The second group consisted of those countries, which were confirmed as candidate countries without specified date of the beginning of the negotiations: Slovakia, Romania, Bulgaria, Latvia and Lithuania.

After the Luxembourg Summit the Turkish Cypriots came up with their own possible scenarios for the settlement of Northern Cyprus. These scenarios were presented as an answer to the possible Cyprus EU membership. The representatives of the Turkish Cypriots wanted not only Cyprus confederation and integration with Turkey but also the international recognition of the TRNC as a politically equal and sovereign subject. (Müftüler-Bac et Güney 2005: 287-288) As it has been already mentioned the decision to open the negotiations with Cyprus led to further strengthening of the relation between Turkey and Northern Cyprus. Turkey even tied the northern Cyprus more by the bilateral agreement which was signed by the leader of the Turkish Cypriots Denktash and the vice-prime minister of Turkey Ecevit in July 1997. This agreement forced them to an economic and financial integration and partly also to the cooperation in security, defense and foreign policy.

Turkey also proclaimed that in the Turkish delegation to any kind of negotiation connected to Cyprus the Turkish Cypriots representation should be also invited and that any kind of attack on Northern Cyprus/Turkish Cypriots would be regarded as an attack on Turkey itself. (Müftüler-Bac 1999: 559–75) In March 1998 Turkey signed an agreement with Northern Cyprus on economic and trade cooperation so that it would be possible to ease the negative impacts of the embargo on the economy of the Turkish Cyprus. It is a kind of a paradox that the Turkish Cypriots have been facing the economic restrictions just because of Turkey and its policy towards Cyprus.

In the meantime in March 1998 the United Kingdom took up the EU presidency after Luxembourg with a certain piece of optimism that the enlargement would proceed and that the United Kingdom would “calm down” Turkey not only by the Presidency but also at the bilateral level. Later on at the summit in London, Greece just started to use Cyprus and its issue as a Greek hostage against the next EU enlargement. At this summit, France pointed out whether EU should be involved in the Cyprus issue or wait until the settlement is found since Cyprus was becoming the balance needle in between Greece and Turkey. The Greek reaction was very radical. Greece threatened with the possibility that if the negotiations with Cyprus were to be interrupted then Greece would block any further EU enlargement until the negotiations with Cyprus would be renewed.

A few days later at the Edinburgh Summit a kind of compromise was reached. France accepted the already reached position that the political settlement of Cyprus would not be a

condition for the Cyprus EU membership and Greece accepted the condition that Cyprus would follow the standard negotiation process. But the Greek position during the whole negotiation process was very strong. They just had this “wild card”: “with Cyprus or no further enlargement” and were ready to use it. The unanswered question is whether they would have really used it. The United Kingdom stressed the need of the continuation of talks and the solution of the political settlement of Cyprus should under the UN framework. (Christou 2004: 81-81)

By that time the EU got into a so-called vicious circle between Greece and Turkey. Greece was threatening by blocking the enlargement while Turkey was threatening by annexing Northern Cyprus. However, the concessions towards Turkey were not as significant as those towards Greece. The EU was trying to show to Turkey that the EU gates are always open to Turkey but on the other hand this was valid only under certain circumstances – these signals of keeping distance from Turkey are quite visible in the EU-Turkey relation until today.

It is not fully clear why the EU decided or let Greece push the EU to the decision of including Cyprus into the enlargement process when Cyprus evidently had problems with the internal settlement and borders that contradicted the Copenhagen criteria. It was quite understandable that under those circumstances the Turkish Cypriots refused the possibility of participating at the EU-Cyprus negotiations, which had been offered to them at the Luxembourg Summit. Both Turkey and the Turkish Cypriots strengthened their positions on the EU-Cyprus relation and the possible Cyprus settlement. At the same time the USA also supported their positions not only on the Cyprus possible EU membership and its settlement but also on the EU’s behavior towards Turkey. Denktash even accused EU that all those current steps led rather to further division of the island than to its unification. On the other hand we have to keep in mind the trends within the Turkish Cypriots’ politics. The Cypriot population and the domestic political scene supported the reunification of the island and its EU full membership and kept accusing Denktash of being rather an Ankara’s puppet than the advocate of the Turkish Cypriots’ interests.

Another crucial moment in the relationship EU-Greece-Turkey-Cyprus came up with the results of the Helsinki Summit in December 1999 when all previous aspects of this relation came across each other. Turkey was finally named as a candidate state and the condition of the Cyprus settlement by the Turkish side was no longer valid as a condition for the Cyprus EU membership. (Kirişçi 2006) Since the EU thought that the position of Denktash was strongly influenced by

Ankara, the EU had the idea that naming Turkey a candidate country would ease the Cyprus issue settlement. It was not only the outcome of the Helsinki Summit but as a paradox also the circumstances of the earthquake, which first hit Turkey in December 1999 and then circa three weeks later also Greece. The so called “Earthquake Diplomacy” and subsequent wave of solidarity led at least temporarily to an improvement in the Turkish-Greek relations. On one hand there was this improvement and it seemed that the EU gate was already open for Cyprus and that it was slowly opening also for Turkey but the condition of the Cyprus settlement did not disappear, it was just moved under the Turkish duties. Cyprus – in the meaning of the Cyprus republic – was freed from the condition of the Cyprus settlement, which was seen by a couple of Turkish representatives as another concession to Greece. In general, we can say that there was the wish for the EU enlargement to continue and for the EU to play the role of a mediator rather than acting as an active player in the Cyprus issue.

After the Helsinki Summit we could notice a period of a so-called mutual “after-Helsinki euphoria” when the EU built upon the Turkish joy of being a candidate country and with it were probably connected the concessions towards the Turkish Cypriots willing to cooperate with the Greek Cypriots. (Christou 2004: 88) On the other hand it might not have been only the EU membership that kept Turkey motivated but the fact that Cyprus (at the meaning of the Cyprus republic) had already set the final date of acceding to the EU. Cyprus EU membership in the meaning of only the Greek part would mean a big loss to Greece and then the “Greek tandem” would easily block any Turkish attempt to get closer to the EU under the condition of solving the Cyprus issue.

The EU negotiations with Cyprus were finished at the Copenhagen Summit in December 2002 at the same time when the Annan Plan was presented by Kofi Annan so that the Cyprus issue would be solved before entering EU. The period between the Helsinki and the Copenhagen Summit could be characterized as a period of internal tension within the EU – when and under what conditions the negotiations with Turkey might be launched. France kept refusing any kind of debate of a possible launch of negotiations with Turkey since the French position was that Turkey did not belong to Europe at all mostly because of the cultural difference. This French attitude was not welcome by the USA since the USA pressured on the EU to change this position towards Turkey. It was in the US interests to have Turkey in the EU – this was connected to the fact that both Turkey and Greece had already been NATO members and for strategic reasons it

would have been more suitable to have them both also in the EU. The EU for sure did not like this US pressure since the EU enlargement has always been an issue of the EU member states and not an issue of the USA.

The relation between the EU and Turkey was getting more and more under pressure since the Turkish EU membership had been under the condition of solving of the Cyprus issue by Turkey itself. The EU position towards Cyprus was more about economic values with the aim of supporting the possible development of Northern Cyprus and the political settlement was to be solved within the UN framework, more precisely within the Annan Plan – as already mentioned previously. Since the Annan Plan (Annan Plan III.) was rejected by Denktash, the Accession Treaty with the Republic of Cyprus (e.g. only the Greek Cyprus) was signed in April 2003 in Athens and the Annan Plan was left behind as a basement for future talks. Although the solution of the Cyprus issue was not even close, a slight improvement in the relation could be seen in the opening of the Green Line by the Turkish side – it was possible to cross the Green Line - that divided the Cyprus Island - for the first time after 30 years. (Müftüler-Bac et Güney 2005: 290)

The reaction of Turkey to the Accession Treaty was with no surprise negative – as a matter of fact the Accession Treaty was signed with a state that was built on an invalid constitution and in addition to that this constitution had been violated by the Greek side since 1963 by the absence of the Turkish element. Since none of the following Annan Plans (neither the Annan Plan IV. from the beginning of 2004, nor the “salvage” Annan Plan V.) was accepted, only the Greek part acceded to the EU on 1<sup>st</sup> May 2004 together with other nine countries in the name of the Republic of Cyprus.

## **Conclusion**

In my opinion, accepting the Greek Cyprus (in the name of the whole Republic of Cyprus) was one of the biggest mistakes the EU has ever made. If the European Community was concerned about the Cyprus settlement and about the improvement in the Turkish-Greek relation, accepting Greece (even though the Greek membership had nothing to do with Cyprus yet) and then only the Greek part of the Republic of Cyprus into the EU just could not help the situation.

In addition to this, the EU accepted a country that did not even fulfill the entering criteria – a country that in fact did not exist as it was settled by the 1960 Constitution, which required also the representation of the Turkish Cypriots.

For sure we cannot simply pronounce Turkey guilty for the sequence of events which followed after the 1974 Turkish invasion, but on the other hand it was a reaction to the Greek actions. While there is no doubt that by this reaction Turkey has influenced the different development of the Greek and the Turkish Cypriot communities. After May 2004 there was a silence and reluctance against any kind of cooperation, especially from the Greek side since they had no reason to cooperate with the Turkish side. During the summer of 2006, the Turkish-Cypriot leader Mehmet Ali Talat (who replaced Denktash in 2005 and who is considered as a pro-European person) agreed with the Greek-Cypriot leader Papadopoulos on another round of talks, which in fact started late in 2008 after the new leader of the Greek-Cypriots was elected.

Whether these talks will lead to a positive conclusion or whether they will stay in a deadlock will be clearer after the elections in Northern Cyprus, that will take place on 19<sup>th</sup> April 2009 and that will show which direction Northern Cyprus will take.

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# **Recent EU Immigration Trends and the Consequences of Recent Economic Crisis**

**Marek Svoboda**

**Abstract:** The immigration flows to Europe have gradually become one of the main issues the European Union is challenging today. The topic has gained a significant public attention, and it is highly contested issue within the European public discourse. Decolonization, the end of the Cold War, the conflicts in Balkans and Caucasus, the massive need for low-cost workers have led to rapid grow of immigrations movements to Europe. The era after the era after the Second World War was remarked by massive inflows labour migrants, as the Western European went trough the period of economic boom, and an increased labour demand. After the oil crisis in 1973s, most of the Western European countries abandoned migrant labor recruitment, and introduced restrictive entry rules. The massive requirement of labour and the financial crisis caused long-term consequences for European societies. Today, temporary migration has become gained significance once again. Temporary migrant worker programs have been introduced by several European countries. The recent global financial crisis has strongly influenced economies all over the world. Stagnation of the economy a recession is threatening many European states. The negative impact of the crisis on management of the migration flows has been brought into discussion. The European Union will be challenged by the task of employment the immigrants currently staying in Europe and absorption of the new coming ones. This paper summarizes the latest information flows of migrants in Europe and discusses the prospects of temporary migration. Furthermore, it discusses the impacts of global financial crisis on immigration in the European Union.

## **Introduction**

The development of European integration has been influenced and shaped by immigration. The European Union has witnesses an increased flows and a growth in the complexity of the phenomenon. It has been decades, since the numbers of immigrants crossed the European frontiers and started their new life. Today, thousands people take a journey to Europe seeking for an improvement of their standard of living, stability and peace. The demographic, economical and political interests of the EU member states have become a constant breeding ground for even further immigration.

The European economies have become dependent on import of labour force. In relative terms, immigration should be a great advantage of economy without creating any kinds of problems. It may play an important role in easing the economic and budgetary

impacts of declining and ageing populations in the EU countries. European states with low growth of population stand to benefit from immigration as it possibly might ensure solving the future problems with the size of the public pensions burden.

Decolonization, the end of the Cold War, the conflicts in Balkans and Caucasus, the massive need for low-cost workers have led to rapid grow of immigrations movements to Europe. Likewise many developed states all over the world, also the EU meets with an increase of negative xenophobic responses of domestic homogenous communities toward the growing immigration.

During the 1950s-1970s, the Western Europe witnessed the period of economic boom. The era was remarked by the massive requirement of labour, which had long-term consequences for European societies. Temporary migration has become significant in the EU countries and has a growing tendency. The EU countries, once again, are reconsidering the prospect of introducing policies of systematically designed working migration programmes.

However, the recent financial crisis of the global market evoked by the U.S. mortgage crisis has strongly influenced the national economies all over the world. Over the time, the crisis has turned out to be global and stagnation of the economy a recession is threatening many European states, as well. According to EU development report published on 3<sup>rd</sup> November 2008 by the EU commissioner Jaoquín Almunia, the EU is going to achieve the economic growth of 0.2%. It is predicted that Italy, Spain, Baltic countries, Ireland and the UK are going to fall thought recession while France and Germany are going to record negative economic growth. Furthermore, the forecast assumes the shape in overall EU unemployment rate from 6.2% to 6.9% in 2009 and 7.2% in 2010.

The financial crisis issues have been brought up to the conferences on immigration. With the regard to sensitiveness of the issue, the discussions have been very much informal so far. The negative impacts of the crisis on management of the migration flows seem to be unavoidable. In the times of high unemployment, the EU will face the problem of employment the immigrants currently staying in Europe and absorption of the new coming ones.

Furthermore, the financial crisis will, as well, affect the economies of the third world countries. The number of people living in poverty, which has been high already, might even deepen. Thus, we can expect the growing effort of further immigration causing tensions in the populations of the European countries. The boost of xenophobia within the society and the slowdown of the immigrants' integration process might have long-term consequences for the EU countries.

This paper summarizes the latest information flows of migrants in Europe and the sources of immigration in the European Union. The comparable cross-national data come from the OECD and Eurostat. As recently a number of governments have been revising their policies to take better account of employment and demographic needs, the paper will discuss the prospect of such programmes. While given an experience from the past, the impacts of global financial crisis on immigration in the EU will be considered.

## **Recent Trends in Immigration in the European Union**

Economical and political changes during the 20<sup>th</sup> and the beginning of the 21<sup>st</sup> century have been accompanied by numerous migration flows. International migration to the EU continues to play an important role. Past few years, Europe has been about entering what is likely to be a significant period of immigration movements. Over past decade, we have witnessed a considerable labour immigration in southern Europe, Germany, Ireland, and the United Kingdom while more than a half of all the permanent-type immigrants consist of family and humanitarian migrants, which are, as well, substantial contributors to the labour force. Today, Europe is challenging aging population and potential labour shortage, and an effective use of immigration in the future may become necessity.

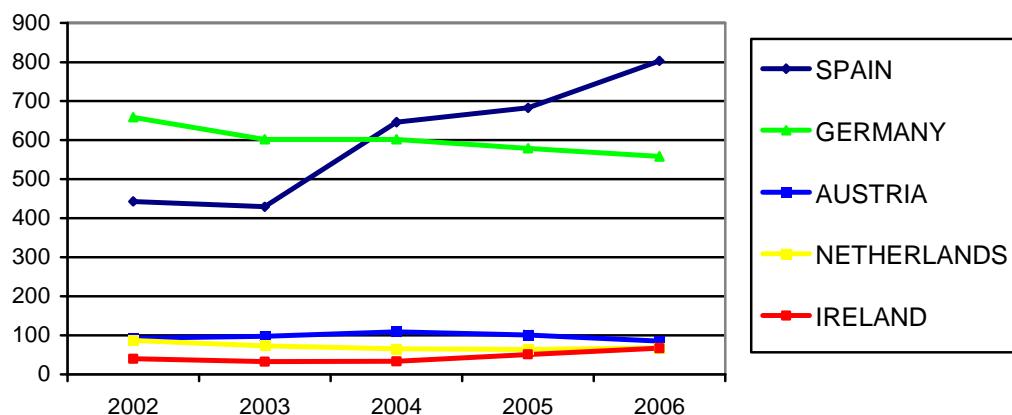
According to Eurostat, in 2006 about 3.5 million persons settled in a new country of residence in the European Union.<sup>1</sup> The sources of immigration vary in different countries. Firstly, we have to distinguish between intra-EU immigration and immigration of non-EU citizens. Second, we need to classify the form of immigration, which includes short- and long-term immigrants and family reunification immigrants.

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<sup>1</sup> Eurostat. 2008.

The overall immigration in the EU has increased over the last five years. Comparing the number of immigrants in 2002 and 2006, it has grown by one quarter with the annual average increase of 100.000.<sup>2</sup> Notably, the tendency of the growth has slowed down, and even turning into decline in 2005. However, the numbers vary from country to country. Ireland and Spain for witness the biggest rise in immigration, while in Spain the foreign population increased from 1.977.946 to 4.606.474 in years 2002-2006.<sup>3</sup> The average inflow of immigrants in Spain totaled 346.400 in years 2002-2005, while in 2006 the number grew up to 803.000.<sup>4</sup> By contrast, Germany, Austria and the Netherlands witnessed a decline in immigration over the whole or part of the period. In Germany, the total immigration decreased by 14% in past 5 years, while in 2006 558.467 non-German citizens settled in the country.<sup>5</sup>

**Figure 1: Number of immigrants' inflow in Spain, Germany, Austria, Netherlands, and Ireland**



Source: Eurostat and OECD statistics. 2008

The largest number of immigrants to the EU in 2006 was recorded in Spain, Germany, United Kingdom, and Italy. These countries together accepted more than 2 million incomers. Spain leads the trend of receiving immigrants with the number totaling at 802.971, while the overall number of immigrants living in Spain is 4.606.474, which is more than 10%<sup>6</sup> of the overall population.<sup>7</sup> We can see that the rate of immigration

<sup>2</sup> Eurostat. 2008

<sup>3</sup> OECD. 2008.

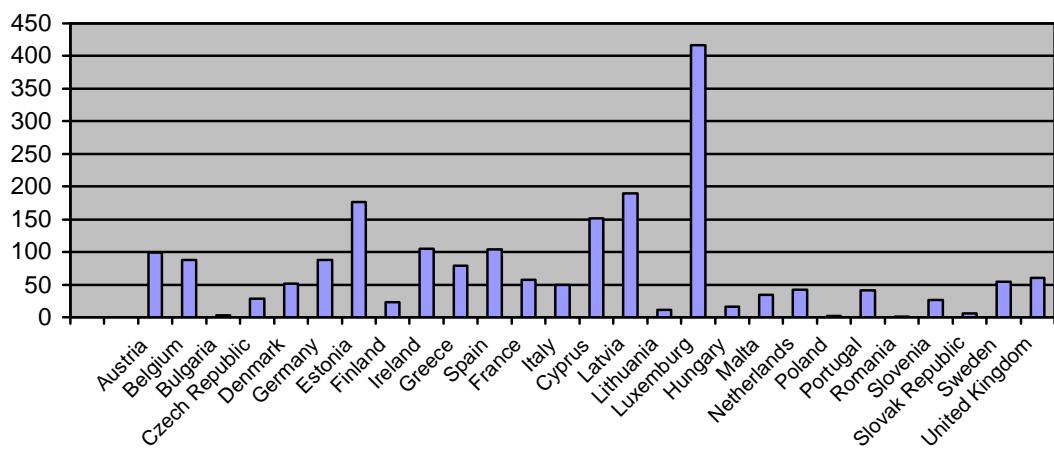
<sup>4</sup> Eurostat. 2008

<sup>5</sup> OECD. 2008

<sup>6</sup> The overall population in 2008 was 45.283.259. Eurostat. 2008

relative to the population size is quite high. Further, not only Spain has high immigration relative to its population size. The high rate of immigration can be seen in Luxemburg, Ireland, and Cyprus. On the other hand, in Germany and the UK, the immigration was at the average of the EU-27 in 2006. Regarding the number of foreigners living in particular country per 1000 inhabitants, no country among the EU member states can compete Luxemburg. (FIGURE 2)

**Figure 2: Foreigners per 1000 inhabitants, EU-27**



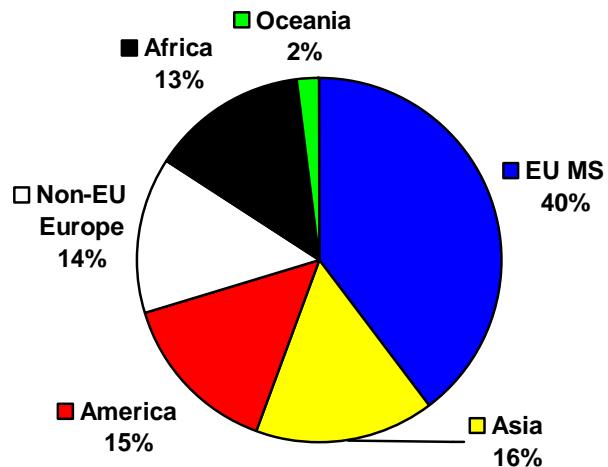
**Source: Eurostat. 2008**

In 2006, of a total number of about 3.5 million immigrants, more than 52% were not citizens of any EU-27 member states, 14% were nationals returning to their home country, and 34% were EU citizens. While looking only at foreign citizens, 60% of immigrants were citizens of countries outside of the EU. Non-counting intra-EU immigration, most of the people incoming in 2006 were nationals of Asian countries (FIGURE 3).

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<sup>7</sup> Eurostat. 2008, OECD. 2008.

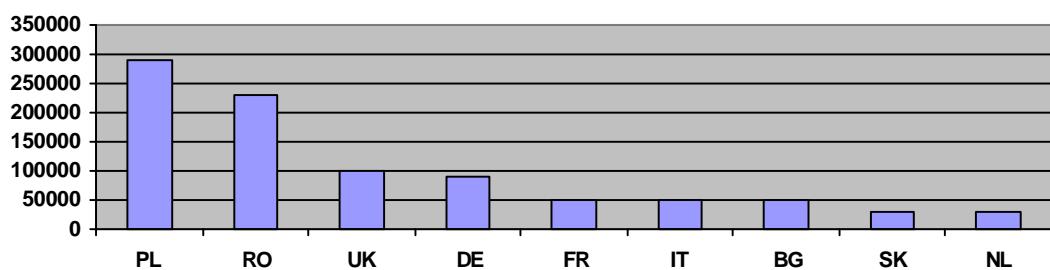
**Figure 3: Immigrants by location, 2006**



Source: Eurostat. 2008

The citizenship composition of immigrants to different Member States varies greatly. In 2006, Polish citizens formed the largest group of immigrants in the EU-27. The estimated number of Polish immigrants to other EU-27 countries was more than 290.000. Polish are followed by Romanians, with more than 230.000. British and Germans were next in number of citizens migrating to other Member States, with nearly 100.000, respectively 90.000. (FIGURE 4) The substantial number of these countries citizens migrating to other Member States can be explained by the size of population of Germany and Great Britain.

**Figure 4: The most numerous citizens of EU immigrants, EU-27, 2006**

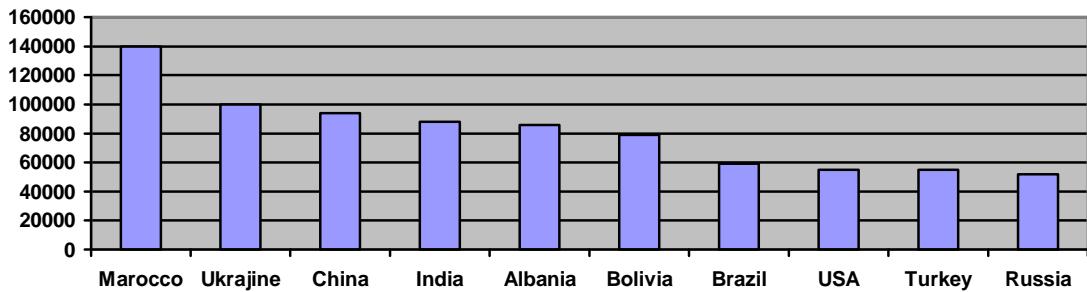


Source: Eurostat 2008

Among non-EU immigrants, Moroccans were the most numerous group. They became the third largest group of immigrants. However, the figure at some 140.000 in

2006 was not even close to the amount of Poles and Romanians. Ukrainians and Chinese were the next most numerous among non-EU immigrants as the numbers came close to those of British and Germans. (FIGURE 5).

**Figure 5: Top 10 citizenship of non-EU immigrants, EU-27, 2006**



By given stats, it is visible that the national composition of the immigrant population varies considerably from one destination to another and reflects a number of factors, the most important of which are formal colonial links, former areas of labour requirement, and ease of entry from neighbouring countries. More than a half of all Polish immigrants settled in Germany and a significant number settled in the United Kingdom. Spain and Italy are on the other side the most attractive destinations for Romanians. British citizens are most likely to migrate to Spain, while Germans, Italian and French often settle in neighbouring countries or in other large countries in the EU.<sup>8</sup>

Among non-EU immigrants, Moroccans were the most numerous group, as mainly heading to Spain, Belgium, France and Italy. Ukrainians, ranked second, were most likely to migrate to the Czech Republic and Italy, while of the total number of 100,000, more than 30,000 settled in Czech Republic and more than 40,000 settled in Italy. The rest of Ukrainians migrated mostly to Spain and Portugal. Almost half of the Chinese citizens migrated to Spain and to the United Kingdom. Germany, France and Ireland were their next most often destinations. Albanians mostly migrated to neighbouring countries Greece and Italy. US citizens had the United Kingdom and Germany as their favourite destinations. Turkish and Russian citizens were frequent immigrants to several Member States. Many Turks migrated to Germany and Austria but France and the Netherlands

<sup>8</sup> Eurostat, 2008

were also popular. By contrast, some citizens were significant among immigrants to one country. Indians migrated almost only to the United Kingdom, and Bolivians and Brazilians to Spain.<sup>9</sup>

Looking at the statistics, it is visible that there are differences in proportions for individual countries. Ireland and Luxembourg have the highest proportions of EU nationals. This fact is obvious regarding they did not have any colonies. At the other end of the scale are former colonizing countries like France the Netherlands, the UK, Portugal. In France, for example, 28% of the immigrants in 2006 came from formal colonies of Morocco and Algeria.<sup>10</sup> In the UK, many immigrants come from Indian subcontinent, particularly India and Pakistan. However, considerable number of people comes every year from Poland. This trend can be explained by good relationship Poland has always had with Great Britain. Polish immigration to the UK has an increasing tendency, while in 2001 there were only no more than two thousand people incoming to the UK, in 2004 it was more than 17.000 and in 2006 it has grown up to almost 60.000. Poles are now the largest group of foreign citizens in the UK, with the figure of 406.000.<sup>11</sup> While poles have established the migration network, it is easy for them to migrate to the UK. Therefore, we can expect a growing tendency in the future although British have became more xenophobic over past years towards Poles.

In Portugal, many immigrants come from formal colonies in Latin America and Angola and Mozambique. However, in last years, we can see a significant increase in immigration from Eastern Europe, particularly Ukrainians who come there for employment reasons and subsequently leave the country. Spain has continued to receive significant inflows from the formal colonies in America, totaling 310.000 which was 37% of the overall immigration in 2006.<sup>12</sup> The inflow of Romanians has also become very significant as today it is one of the main sources of immigration (FIGURE 6). Spain has become in past decades one of the highest receiver of the immigrants in the EU. The

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<sup>9</sup> Eurostat, 2008

<sup>10</sup> Eurostat, 2008

<sup>11</sup> OECD, 2008. The figure valid for 2007.

<sup>12</sup> Eurostat, 2008

main nationalities are from Morocco (583.000), Romania (527.000), Ecuador (427.000) and the United Kingdom (315.000).<sup>13</sup>

It must be mentioned that it has been only recently, Spain became significant inflow destination. Until past years, the largest single group of foreign-born residents came from France, not formal colonies or other countries. By early 1990s, the share of foreigners relative to overall population in Spain was no more than 3%.<sup>14</sup> This might be caused by relative low economic growth until the accession to the EU. Spain applied a transition period for citizens from Romania and Bulgaria following their accession to the EU in 2007 in order to prevent even more massive inflow of Romanians.

Belgium is something of an exception. Surprisingly, even though Belgium had colonies in Africa, and during 1960s and 1970s did require workers for its industry, they preferred to require labour from the European countries. The foreign population in 2003 consisted mostly of Italians (187.000), French (113.000) and Moroccans (83.000), while the total number of all Africans other incoming from elsewhere than Morocco counted 48.000 only.<sup>15</sup> Recently, Belgium witness a growth in immigration flows from Poland as it increased by nearly 40% in 2006 comparing the previous year.<sup>16</sup>

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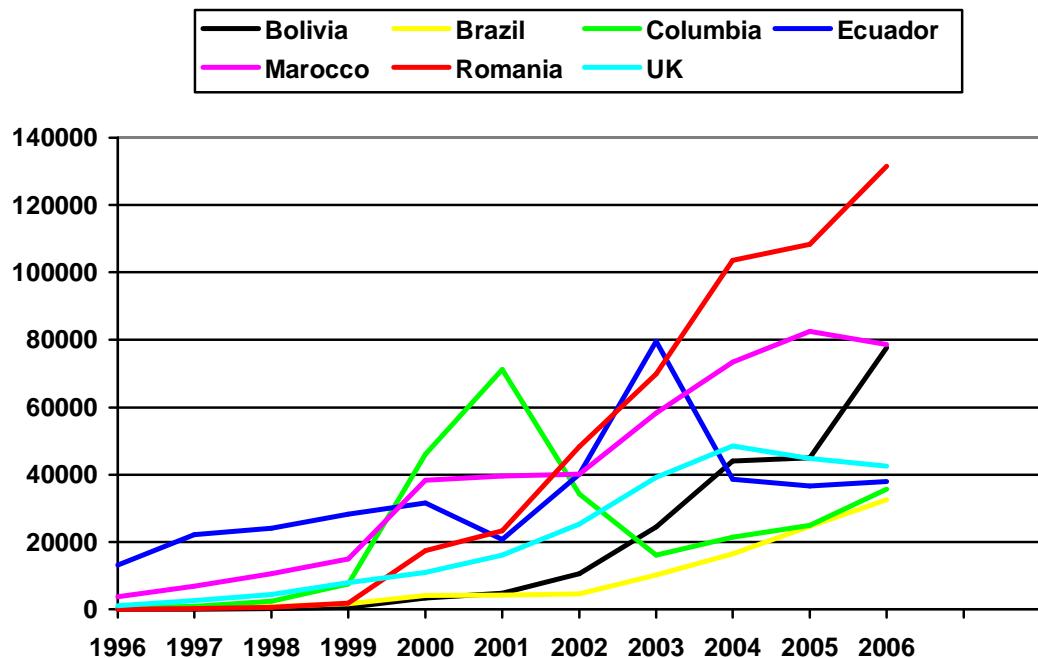
<sup>13</sup> Eurostat, 2008

<sup>14</sup> Eurostat, 2008

<sup>15</sup> Eurostat, 2008

<sup>16</sup> OECD, 2008

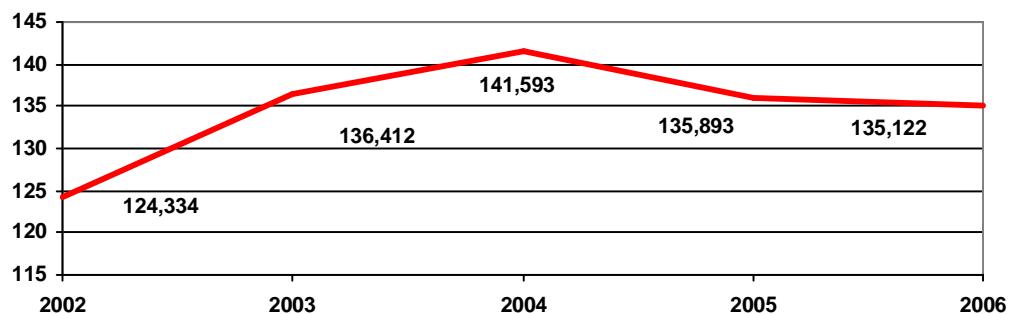
**Figure 6: The main sources of inflows to Spain: Current Trends**



Source: Eurostat, 2008

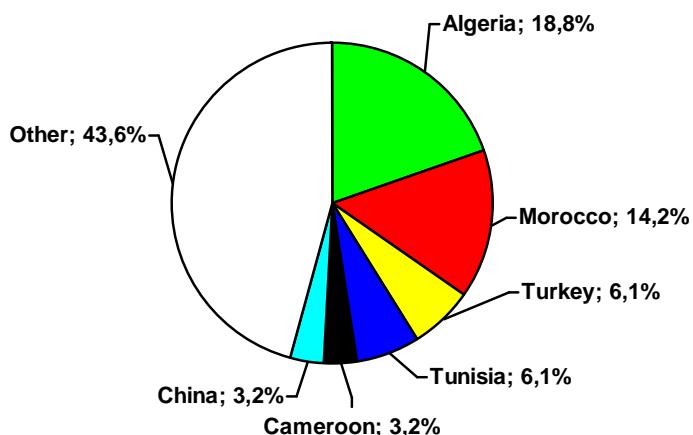
In France, after a number of years of strong growth in years 1995 and 2003 (annual average of increase by 13%), inflows seems to have slowed down. Since 2002, immigration has become stabilized between 124.000 and 142.000, while in 2006 approximately 135.000 foreigners were admitted for residence (FIGURE 7). France stands for a typical example of the country, where immigration is closely linked to colonial ties. Africa has been the principal region of origin, followed by Asia. Almost 19% of immigrants in 2006 were Algerians, followed by Moroccans with approximately 14%, and Turkish and Tunisians both sharing about 6% in 2006 (FIGURE 8).

**Figure 7: Trend in immigration in France in years 2002 - 2006**



Source: Eurostat, 2008

**Figure 8: Immigration to France in 2006 by citizenship**



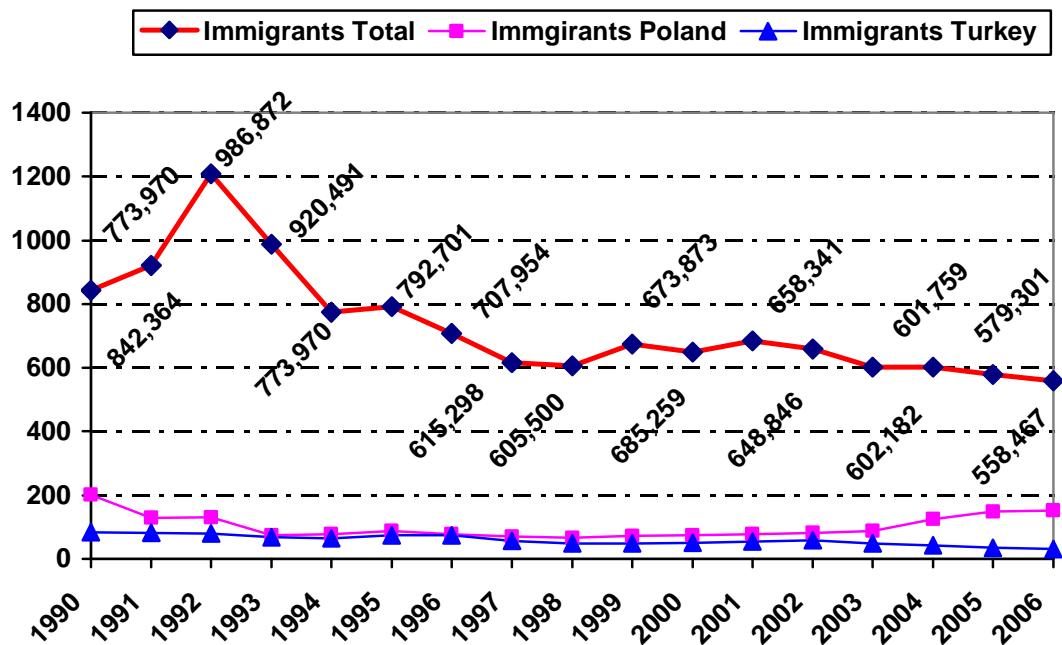
Source: Eurostat, 2008

In Germany, the decline in long-term migration has been evident for past years (FIGURE 9). Poles were the largest group of immigrant, totaling more than 27%. The immigration of Polish citizens has been increasing constantly since 1998, challenging the massive inflow in 1990 caused by the collapse of Eastern bloc. By contrast, the traditional source of immigration flows from Turkey has a declining tendency. This is as well reflected by the decrease in applying for family reunification visas, reaching its lowest point for more than a decade with only about 50.000 claims.<sup>17</sup> However, Turks still count for one fourth of the overall foreign population in Germany. The source of Turkish immigrations can be traced back to 1960s and 1970s, the period of huge labour

<sup>17</sup> Statistisches Bundesamt Deutschland ([www.destatis.de](http://www.destatis.de))

recruitment during the economic boom. For the following years, after the restrictions on entry were set, further immigration was driven by family reunification of Turkish citizens, while the migration networks had been created before. In 2005, Germany introduced the program of settlement permit for highly qualified workers while trying to facilitate skilled labour migration. But the program does not seem to be very successful as only about 1.100 people applied for the permission on this ground. On the other hand the labour migration from outside of EU-25 has increased sharply, by more than 60%.<sup>18</sup>

**Figure 9: Immigration in Germany in years 1992 - 2006**



Source: OECD, 2008

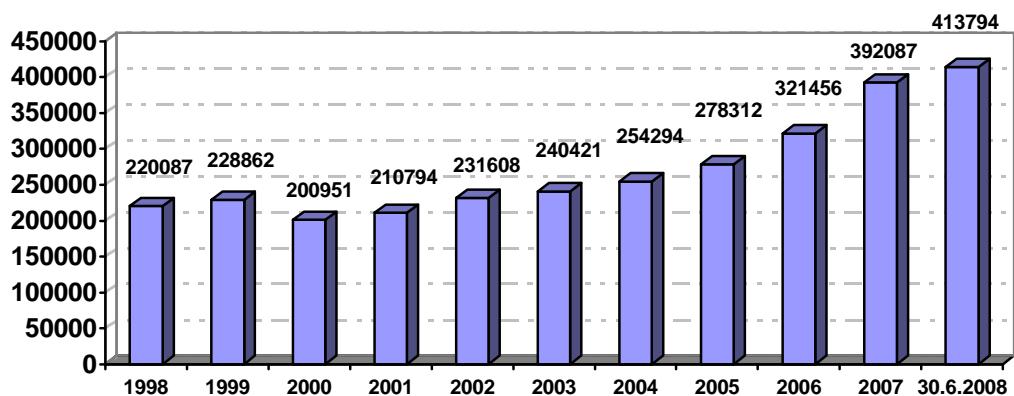
Finally, the Czech Republic is included in a wider examination as one of the ten countries accessing the EU in 2004. In past decades, the Czech Republic has gone through a shift from traditional source of immigration and transition point, and has become a significant destination attraction a large number of foreigners. In the end of 2006, immigration to the Czech Republic reached more 68.000, which is increase by 13% compared the previous year and at the same time, it is the highest level recorded since its establishment in 1993.<sup>19</sup> The overall number of foreigner in the Czech Republic has

<sup>18</sup> Statistisches Bundesamt Deutschland ([www.destatis.de](http://www.destatis.de))

<sup>19</sup> MVČR 2009

almost doubled past ten years as in the middle of 2008 more than 413.000 immigrants disposed of permanent or long-term residence (FIGURE 10).<sup>20</sup>

**Figure 10: Foreign population in the Czech Republic, 1998-2008**



Source: MVČR, 2008

Likewise in prior to 2006, the Ukrainians (30.000) comprised the bulk of immigration flow to the Czech Republic, while Slovak (23.700) remained second, followed by Vietnamese (6.400) and Russians (4.700).<sup>21</sup> In December 2007, the Czech Republic joined the Schengen zone and as a result, the borders with all its neighbors have been eliminated. This has had an affect in redirecting the focus on internal control of illegal immigration, which was the in 2006 the lowest recorded since 1993.<sup>22</sup>

Examining the immigration, some new migration trends have appeared past years as the new areas of origin emerged. Particularly, immigration from China to the EU countries, especially Germany, Italy and France has become significant. Further, Albanians have also been on the move, as resettling mostly to Italy. The largest increase in flows in past six years is seen in immigration from Romania and Poland.<sup>23</sup> The increase of emigration from Germany to neighbouring countries has been more than visible. The EU has also witnessed the decrease of the inflows from Turkey and Russia.

<sup>20</sup> MVČR 2009

<sup>21</sup> OECD, 2008 and MVČR, 2009

<sup>22</sup> OECD, 2008

<sup>23</sup> OECD, 2008

And last, Romanians and Algerian have undergone the change in type of flow while circulating across the Mediterranean region serving mostly tourist market.<sup>24</sup>

Family reunification has been one of the main sources of immigration to the European Union (FIGURE 11). In France, migration regime is heavily based on family reunification (60%) and in Portugal it has become very important as the family members of recent labour migrants, mostly Ukrainians, arrive at the country.<sup>25</sup> The nationality of the newly arrival persons naturally follows the previous immigration patterns. In Germany, therefore, most of the joining family members come from Turkey and formal Yugoslavia.<sup>26</sup> In France and the UK, colonial ties are again more than visible, as a high degree of migrants come from North Africa, respectively from Sub-Indian Subcontinent.<sup>27</sup>

On the other hand, labour migration appears to be important among Italy, Ireland, Spain and the United Kingdom as some of 30-40% immigrants arrive for work-related reasons.<sup>28</sup> In overall, the EU has seen a notable increase in labour migration. These are usually unskilled workers coming to fill the gaps in the jobs markets. Many of labour migrants are recruited from either Central and Eastern Europe, or Africa.<sup>29</sup>

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<sup>24</sup> Salt, John. Current Trends in International Migration in Europe. Council of Europe. 2005

<sup>25</sup> OECD, 2008

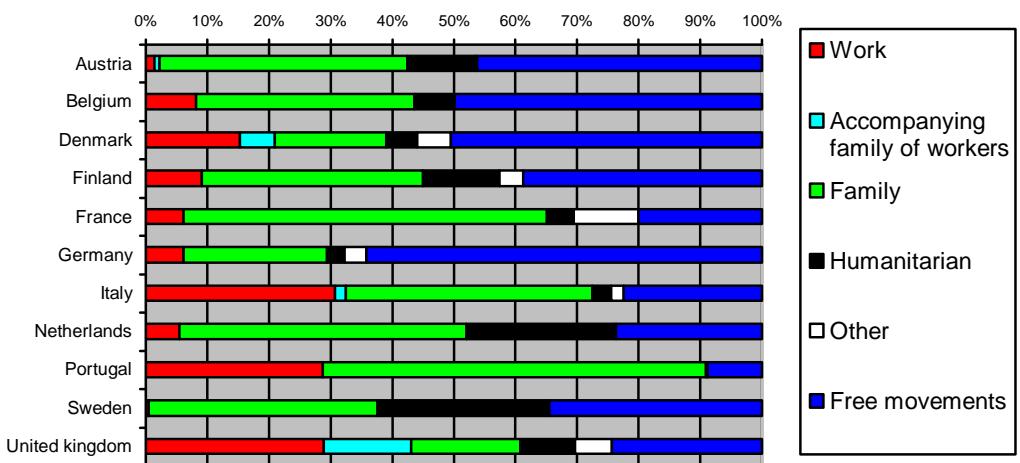
<sup>26</sup> Stalker, Peter. "Migration Trends and Migration Policy in Europe". *International Migration*. Vol. 50, Iss. 5, 2002.

<sup>27</sup> OECD, 2008

<sup>28</sup> OECD, 2008

<sup>29</sup> OECD, 2008

**Figure 11: Immigration of category of inflow, 2006**



Source: OECD, 2008

Asylum seeking in the EU has been declining consecutively for some years. Among the EU members France, Germany and the UK were all falling in the 20.000 to 30.000 range, while Sweden and Austria were the main receiving countries. Serbia and Montenegro, Russia, Iraq, Turkey and China are the most important countries of origin.<sup>30</sup> Finally yet importantly, the free-movement among the EU countries is proportionally important. In many EU countries, such movements account for almost half of migration, particularly in Austria, Belgium, Denmark and Germany, where these account for almost half of the movements.

## Europe and Labour Needs

In years 1945-1973, the Western Europe went through the period of economic boom. The massive requirement of labour caused long-term consequences for European societies. Recently, the EU countries are re-considering the option of introducing policies of systematically designed working migration programmes.<sup>31</sup> In 2003, Goran Persson, the

<sup>30</sup> OECD, 2008

<sup>31</sup> Policy Plan on Legal Migration. European Commission. 2005

formal prime minister of Sweden, and Tony Blair, the formal prime minister of the UK, have both pointed out the importance of economic migration.<sup>32</sup>

Temporary migration has become significant in the EU countries and has a growing tendency. Temporary migrant workers programs have been introduced by several European countries, including Germany, the UK, the Netherlands, Belgium, Ireland, and Italy (FIGURE 12). Among the EU, Germany is the main labour importer, ensuring its labour needs through bilateral foreign worker agreements.<sup>33</sup> On the other side, Poland is the largest exporter of labour in the European Union.<sup>34</sup>

Many European countries recruit unskilled foreigners for work, restricting the right of family reunification and adjusting from temporary to permanent resident status. Such programmes have the purpose of addressing economic needs of both countries of origin and destination. Temporary migration is often seen as a flexible contributor to the labour market. In many countries, it is considered to be an important instrument to deal with ageing population, as well as to fill the demands of industry for specific skills. Temporary migration, compared to permanent, is also easier to sell publicly as the population then feels less threatened by immigration. And lastly, it should minimize the problems linked to integrating permanent settlers.

Recently, some of the EU countries are trying to propose the legislation to turn irregular immigrants into legal workers.<sup>35</sup> The intention may seem to be reasonable considering the fact that the legal status granted by such programmes makes the management of immigration flows easier and reduces the illegal employment. Never the less, Europe seems to be heading “toward” the guest-workers programmes, quasi to pre-1974 immigration policies.

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<sup>32</sup> Government fears backlash over legal migration. The Independent. July 7, 2003.

<sup>33</sup> Mostly the agreements follow German Contract Worker Scheme operating between Germany and a number of countries of Central and Eastern Europe. It allows employees of foreign companies to work in Germany as contract workers providing services to German companies. The usual period is between 2 and 3 years. The foreign firm then must ensure the exit of the workers.

<sup>34</sup> OECD, 2008

<sup>35</sup> Garcia, A.S. Legal or Illegal? “Preferences on Immigration”. Universidad de Granada. 2006

## **Lessons from History**

Between the end of the Second World War and early 1970s, special set of conditions, in which fast-growing Western European industrial economies had been massively importing labour, caused large scale consequences for Europe. The receiving countries adopted guest-workers programmes, which were based on high level of state involvement and agreements with countries of origin. The rights of citizens, as well as family reunion were restricted to minimum. The approach was supposed to provide highly needed cheap labour on rotation basis in order to prevent further potential social and cultural problems. However, although the programs meant to be temporary, many of many of the workers stayed and settled in the destination country.

The problem arose in 1973, when the Oil Crisis hit Europe. The following era was marked by economic stagflation and high unemployment. The workers staying in Europe on guest basis were no longer needed and the governments therefore assumed they would send them home, but the reality was different. Stephen Castles provides us with several explanations why the governments failed to send the immigrants home.

Firstly, many of the temporary workers were required to fill the permanent labour demand; the industries therefore became dependent on foreign labour.<sup>36</sup> The employers, in fact, were disturbing the rotation system as trying to keep the experienced workers. Second, migrants found their ways to reunify their families or formed the new ones.<sup>37</sup> Last, the workers joined the trade unions, as they were not willing to accept the poor and discriminatory working conditions.<sup>38</sup>

After all, the guest workers refused to leave and became permanent settlers and consequently the total immigration population continued to rise as the migrant maintained reunifying their families and established the networks, helping to increase the immigration. Although the crisis followed by high unemployment caused a decrease of labour demand, immigrants were reluctant to leave, as they knew the impact of the crisis

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<sup>36</sup> Castles, S. "Back to the Future? Can Europe Meet its Labor Needs Through Temporary Migration?", International Migration Review, 2007.,

<sup>37</sup> Castles, S. "Back to the Future? ..." 2007

<sup>38</sup> Castles, S. "Back to the Future? ..." 2007

would be even deeper in the country of their origin. It became evident that this would result in deep social and cultural consequences in the future.

## **What Has Changed?**

The 1990s brought a new the collapse of the Soviet bloc brought a significant upsurge in migration to Europe. The EU countries saw a spurt in immigration of refugees and asylum seekers from Yugoslavia, formal Soviet Union, Middle East, Africa, and Asia. Southern European countries like Italy, Portugal or Spain, which had traditionally served as the sources of migration to the Western Europe, became important destinations of immigrants. Furthermore, the Central and Eastern Europe created new destinations for migration movement and attract the incomer from the formal Soviet Union countries of Ukraine, Belarus, or Kazakhstan as well as from far destinations such as China, Sri Lanka, or Vietnam.<sup>39</sup> In overall, the sources of immigration have become more variable.

After the restriction set up in late 1970s, the new massive wave of immigration to European countries began and called for a response. The EU countries have also become to cooperate on the field of migration while realizing the need for developing complex and comprehensive common migration policy. Moreover, Southern European countries are facing large inflows of irregular immigrants coming from Africa. Since the beginning of this year, Italy has already expelled 3.000 of illegal incomers,<sup>40</sup> as the majority of those coming form Libya. Italian government is trying to solve the problem by co-operation with the Libyan government on the field of protecting the frontier. The 31 of Mach brought a tragedy, which may shape reaching the solution. More than 300 African undocumented migrants were drowned while trying to reach Italian coast.<sup>41</sup>

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<sup>39</sup> Wallace, Claire (Editor). *Patterns of Migration in Central Europe*. Gordonsville, VA, USA: Palgrave Macmillan, 2000.

<sup>40</sup> Adnkronos International. Italy: Thousands of immigrants expelled this year. Rome, March 12, 2008

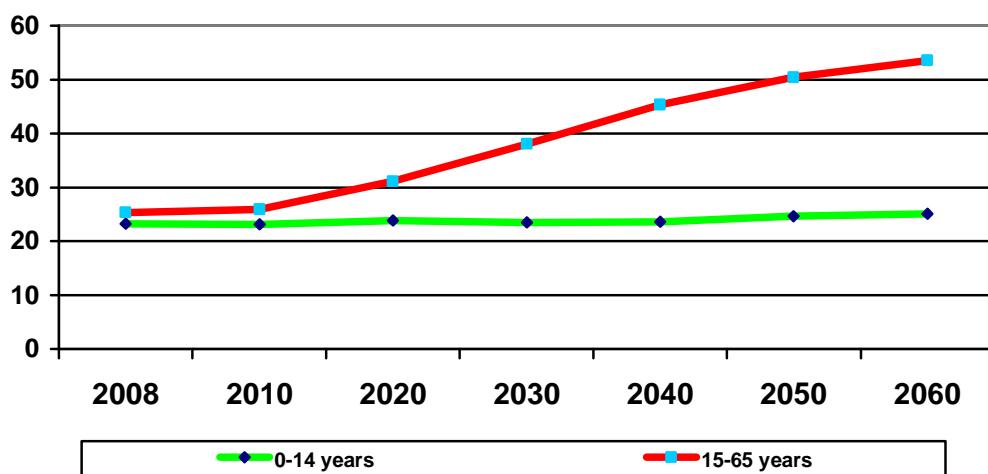
<sup>41</sup> Reuters. March 31, 2009

## Why Europe Favors Temporary Migration?

The past decades, Europe has been going through a period of considerable demographic changes. Eurostat estimates the population will become older with the projected median age rise from 40. years in 2008 to 47.9 in 2060. The young age dependency ratio for the EU27 population is projected to rise moderately to 25.0% in 2060, while the old age dependency ratio is expected to increase substantially from its current levels of 25.4% to 53.5% in 2060 (FIGURE 12).<sup>42</sup>

The Examining the roots of the problem, we have to come back to the past. The successful post-War reconstruction led to a rapid increase of the number of births during the 1950s and 1960s. The generation born at that time is currently finds itself at the culmination of its active working age. Therefore, its future retirement has become one of the main threats for the social system. The generous welfare system needs an increasing active population to be able to sustain.

**Figure 12: Projected age dependency ratios for selected years, EU27**



Source: Eurostat, 2008

Immigration is often seen as a potential resource that may offset the negative effects of the European demographic decline. While there is a strong worldwide potential

<sup>42</sup> Eurostat, 2008

in large young generations in the third world countries, aging Europe tend to attract migrants in order to help the demographic stagnation.<sup>43</sup> However, although the problem of population aging can be alleviated by immigration, it does not provide a long-term solution. Firstly, immigration levels far higher than at present would be needed to offset the population declines. Second, immigration levels would have to surge promptly and rapidly if working-age populations are to be stabilized. Third, while immigration is a possible solution to the problem of population decline, it is not a solution to population aging. Furthermore, the number of immigrants needed to offset declines in the ratios of working-age populations to elderly is far too high to be given any serious consideration.<sup>44</sup>

## Toward More Flexible Market?

It is believed the introducing a systematically designed temporary migration programs could provide a flexible labour market, as addressing the specifics needs in specific period of time.<sup>45</sup> Furthermore, GCIM claims that such approach would contribute to the growth of the global economy enable the international community to achieve a better match between the supply and demand for migrant labour.<sup>46</sup> Such approach could possibly ensure better access of immigrants to labour markets in Europe and at the same time help the development of countries of origin if used effectively.

At the same time, the approach enables to recruit foreign labour for specific gap within the domestic job markets. Without taking the integration problem in account, it can provide an immediate and effective response to labour shortages in Europe. Similarly, it offers the possibility to recruit highly-skilled personnel from the South. So-called brain drain can offer the rich countries a possibility to obtain the benefits from highly skilled labour while avoiding the cost of traineeship and education. This phenomenon has been historically viewed as a one the most significant to source

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<sup>43</sup> Zimmermann, Klaus F. "Tackling the European Migration Problem". *The Journal of Economic Perspectives*, Vol. 9, Iss. 2 (Spring, 1995), pp. 45-62

<sup>44</sup> Bermingham, John R. "Immigration: Not a Solution to Problems of Population Decline and Aging". 2000. United Nations Population Division Commision on Migration Report 2005..

<sup>45</sup> Global Commision on Migration Report 2005.

<sup>46</sup> Ibid

countries.<sup>47</sup> Europe, especially in era of arising of new global competitors, particularly China and India, recognize the needs of filling the shortfalls in the labour markets pool of highly qualified workers. Furthermore, in response to this situation, the EU agreed on attracting such immigrants while creating proposals for special work permits (green cards) in order to facilitate and encourage immigration of such personnel.<sup>48</sup>

Considering the impact on the source countries brain draining offer both benefits and losses. Some countries can be hurt badly while highly skilled workers many times do not return, at least not during their most productive years. This creates gaps in some very important job positions need for further technological development. On the other hand the remittances inflowing to source countries may become an important income though which the poor countries can fight poverty.<sup>49</sup> In some countries, emigration can play a role in attracting the foreign investors while skilled migrants are able to generate networks of investments, trade, and technology.<sup>50</sup>

## Is Temporary Migration Possible?

However, the question is whether actual outcomes of temporary migration bear out the expectations. The main problem seems to be in overcoming the danger of permanent settlement. The CGIM report claims such outcomes can be avoided by appropriate policies designed to enforce actions against those who would violate the given terms of programs.<sup>51</sup> However, even employers who have invested in the training of new workers are also often reluctant to see them leave. Castles argues that temporary migration can be only beneficial if the government take an active regulatory role. Further, he claims ensuring the success of such programs is difficult in democratic countries as the restriction of individual rights might be a problem difficult to overcome.<sup>52</sup>

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<sup>47</sup> Goldin, Ian. *Globalization for Development...* 2007

<sup>48</sup> Policy Plan on Legal Migration. European Commission. 2005

<sup>49</sup> Goldin, Ian. *Globalization for Development...* 2007

<sup>50</sup> Goldin, Ian. *Globalization for Development...* 2007

<sup>51</sup> Global Commision on Migration Report 2005

<sup>52</sup> Castles, S. "Back to the Future? ..." 2007

The experience with Guest-workers programmes in the mid 1950s and the mid 1970s shows us an unpredictable outcome of the temporary migration. While economy went into a recession, not everyone went back home. Even further, the networks were created that helped spawn large-scale not only legal, but more significantly illegal migration after the programme finally ended. Various schemes to attract the highly-skilled have recently been introduced in the United Kingdom, Germany and other European countries. Some of them have made speedy processing of employer requests as their main feature. Most temporary migrant programmes involve the granting of work permits which tie the foreign worker to a specific employer inhibiting the worker's ability to obtain better terms of employment. On the other hand, granting the guest worker freedom of movement within host society's labour market would no longer make possible to align migration to the perceived requirements of the labour market.<sup>53</sup>

Lastly, although the temporary schemes should play in meeting the problem of ageing populations face by Europe, it can hardly satisfy a large number of immigrants needed to maintain constant the size of the working population. Given the fact that many EU countries are already facing problems with social integration of immigrants, the quieting is whether it would not be more beneficial to emphasize on developing a complex and comprehensive policy on permanent immigration, which can also contribute to the size of the aged population. Of course we must take in account, temporary migration is often a politically more feasible solution as assuming that most workers would eventually return home if any problem arises.

## **The Impact of the Global Financial Crisis**

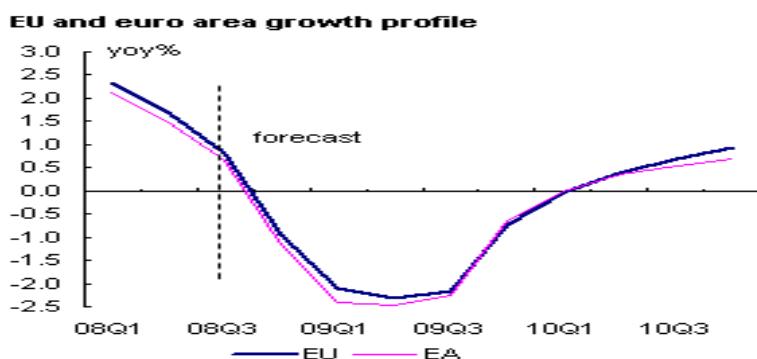
The recent financial turmoil in financial markets evoked by the U.S. mortgage crisis has strongly influenced the national economies all over the world. Over the time, the crisis has turned out to be global while stagnation of the economy and recession is today threatening many European states as well.

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<sup>53</sup> Ruhs, Martin. "The Potential of temporary migration programmes in future international migration policy" Paper prepared for GCIM, Sep 2005.

According to economic forecasts for the European Union and the eurozone published on 3<sup>rd</sup> November 2008 by the European Commission, the financial crisis is not over and has even deepened and extended rapidly. It is predicted, the growth of the EU 27 GDP will be 1.4% on average in 2008 and 0.2% in 2009, while economic activity came in weaker than expected in Germany, Italy, Finland, Denmark, Estonia, Sweden and the UK.<sup>54</sup> France, was the only posting a slight increase among the large euro-area Member States. It is predicted that Italy, Spain, Baltic countries, Ireland and the UK are going to fall thought recession while Germany, Belgium, Denmark, France, Italy, Lithuania, Portugal and Sweden are going to record growth close to zero (FIGURE 13).

**Figure 13: European Commission Economic growth forecast for EU-27 and Eurozone**



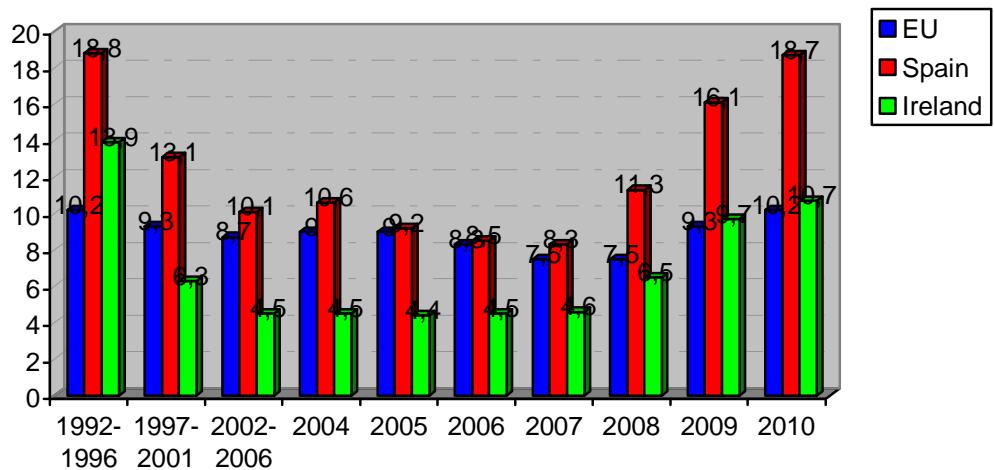
Source: European Commission, 2008

Furthermore, the forecast assumes that labour market situation will worsen in most of the Member States in 2009 as companies have already started to react increasingly to reduced demand and fighter financing conditions. Employment is expected to contract by more than 1½% during this year with falling by three and half million jobs, resulting in increasing unemployment rate by close to 3 percentage points from 7,2% in early 2008, averaging 8,75% in 2009, and finishing at 10,2% in 2010 (FIGURE 14).

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<sup>54</sup> Interim forecasts for 2009-2010. European Commission 2009.

**Figure 14: Number of Unemployment, EU-27, Spain, Ireland**



Source: European Commission, 2008

As unemployment rising rapidly, the debates about the impacts of financial crisis on immigration have been brought up to attention. While immigrants form a significant proportion of labour markets in the European Union, the implications of the recession should not be underestimated.<sup>55</sup> The negative impact of the crisis on management of the migration flows is often mentioned during the informal discussion on the topic. Therefore, the EU will be challenged by the task of employment the immigrants currently staying in Europe and absorption of the new coming ones.

During the economic turndown, migrant workers are often more likely to loose their jobs since they mostly occupy the low-skilled position that are hit the hardest in such times. Further, many immigrants do not have an access to welfare benefits and therefore, they may suffer hardness trough recession. Such environment may damage the efforts of integrating them in society.

The financial crisis as well affects the economies of the third world countries which cause the increase in number of people living in poverty. Moreover, given the scale of estimated remittances to developing countries reaching USD 283 billion in 2008<sup>56</sup>, recession could possibly have disastrous consequences for the development of the third world. Thus, we can expect the growing effort of further immigration which may

<sup>55</sup> Migration and the Economic Downturn. Migration Policy Institute. 2009

<sup>56</sup> OECD, 2008

cause tensions in the EU countries. Not only may the immigrants' integration process be affected, but the possible boost of xenophobia in the countries of destination could arise.

## **How Does the Recession Affect Inflows of Immigration?**

Proven by the historical and theoretical background, migration is strongly linked to economic opportunities.<sup>57</sup> Economic migrant see in migration a chance for improving not only the standard of living, but increasing the income of their families supported from remittances. There are different factors that may affect the motivation of the migrant to move.<sup>58</sup>

Firstly, we need to distinguish between different categories of migrants, as their reasons for migrating differ. Some migrant may move purely on economic basis, while others are forced to migrate because of persecution, human rights violations, repression, conflicts, worsening environment, or natural disasters.<sup>59</sup> Moreover, the premise that a recession would reduce a motivation to migrate may be wrong. Even economic migrants will still see the prospects of gains. Even if the employment rates decline in the destination, the perspective of moving to other country may seem much better than staying in the country of origin.

The second question is how the economic recession affect the motivating the immigrants' decision on whether to leave the destination country of stay. Historically proven, most of the migrants are unlikely to return home as they believe the conditions in the hosting county are substantially better. The problem however lies much deeper. Many immigrants, even the temporary ones, tend to stay permanently. Thus, they are less likely

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<sup>57</sup> Arango, J., Hugo, G., Kouaouci, A., Massey, D.S., Pellegrino, A., and Taylor, J. E. *Worlds in Motion: Understanding International Migration at the End of the Millennium*. New York, Oxford University Press, 1998

<sup>58</sup> Susan F. Martin. Global migration trends and asylum. Working Paper No. 41. UNHCR. 2001

<sup>59</sup> Goldin, Ian. *Globalization for Development: Trade, Finance, Aid, Migration, and Policy*. Herndon, VA, USA: World Bank, The, 2007. p. 158

to return in the time of recession as they have already settled.<sup>60</sup> Moreover, the family ties and social networks often play a large role in deciding.

## **Impacts on Migration Flows**

There are several factors playing role in affecting inflows and outflows of immigrants. The categorizing is very important in evaluating the impacts on migration.

The first category, family and humanitarian immigration, seems to be not really affected by economic cycle. Their decision to migrate is driven by other than economical reasons. Secondly, highly skilled migrants are often very unlikely to return. They are usually tied in the host country, either by founding a family there or being chained by employer.

Less skilled immigrants, on the other hand, seem to be most affected by the economy of given country. Hence, the reason is simple. They are usually employed in the sectors like manufacturing or construction, which are hit the worst by the crisis. In the time of economic recession, the demand for labour in such sectors decrease and thus, the temporary or permanent work use at the labour market is fading away.

Ireland, Britain and Spain have met with the high unemployment in such sectors and thousands of immigrants consequently lose their jobs. In Spain, unemployment rate has already risen to 12% in the beginning of this year and the government is seeking a way how to get the migrants to move away.<sup>61</sup> Many countries in the EU, including Spain and the Czech Republic, have already introduced the programs of voluntary returns hoping that large number of incomers would re-emigrate. The question is whether such programs have a chance to succeed in a larger-scale measure. The money paid to immigrants may not be sufficient in comparison to money and effort they put in order to move their new homes.<sup>62, 63</sup> The migrants are often also reluctant to leave as they assume

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<sup>60</sup> Castles, S. "Back to the Future? Can Europe Meet its Labor Needs Through Temporary Migration?", International Migration Review, 2007, Vol. 40, Iss. 4, p. 741-766

<sup>61</sup> Foreigners, go home. The Economist. November 26, 2008

<sup>62</sup> While I was working on my research on migration from Vietnam to the Czech Republic, I found out the immigrants often pay \$5000 and more to ensure a successful migration. For comparison, the Czech

the economic circumstance in their homelands may prove to be intolerable and therefore they have no guarantees of successful return.

Intra-EU immigration, primarily originating in Eastern and Central European Member States, has made up a large proportion of immigrant inflows in the Western Europe. This type of migration is highly sensitive to economy circles. As there are no restrictions, migrants feel free to move whenever they want to.<sup>64</sup> Research on Polish migrants to the United Kingdom indicated that many only intended to spend a limited period of time, suggesting they may decide to cut this stay if employment is not forthcoming.<sup>65</sup>

### **Threatening the Security**

The governments across the EU have realized the risks that may bring the negative impacts on the security. There are several negative effects which either have been already identified or are assumed to arise.

### **Growth of Evading the Immigration Legislative**

Most of the working permissions granted to foreigners are mostly fixed to the specific working position. After laying them off the job, the validity of their working permission is over. In most of the EU countries, consequently the permission of stay expires. Immigrants then try to change the purpose of stay to self-employment. If they don't succeed they tend to legalize their stay by sham marriage or faking paternity. We shall expect an increase of such practices during the recession.

### **Growth of Criminal Activities, Organized Crime, and Human Trafficking**

Foreigners, who, during the recession, found themselves in indigence, may possibly become involved in criminal activities with the purpose of improving their financial

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government offer the immigrants through voluntary return program €500 and the travel expenses. Furthermore we have taken into account the fact that the immigrants during their period of stay work under considerable condition for small wages which are not even sufficient to pay the debt they had made in order to get to the Czech Republic. Thus, it is disputable whether these immigrants are willing to re-emigrate.

<sup>63</sup> In Spain, fewer than 1,400 of 100,000 eligible immigrants signed up in the first few months after introduction of voluntary return program. (from: Latin American Herald Tribune. 2009. Spain Says 1,400 Immigrants Apply for Repatriation Unemployment Program. January 14, 2009.)

<sup>64</sup> Migration and the Economic Downturn. Migration Policy Institute. 2009

<sup>65</sup> Pollard, Naomi, Latorre, Maria and Srisandarajah, Dhananjayan. *Floodgates or turnstiles? Post-EU enlargement migration flows to the UK*. Institute for Public Policy Research. 2008

situation. The thread includes only growth of criminality in general, but also involvement in organized crime. Therefore it is assumable that serious crimes, like drug business, extortion, frauds, or money laundering, will increase.<sup>66</sup> Last but not least, high dept and independency on finance of immigrants also increase the risk of exploitation of immigrants and human trafficking.

### **Growth of Illegal Immigration**

It is assumed the illegal immigration will increase during the crisis as it proven to be quite responsive to economic cycles. Firstly, because of higher restrictions of entry set up during the crisis, the foreigner will try to enter illegally. Never the less, this is not the biggest problem the EU will have to face. The immigrants who lose their jobs will fear to leave the country of destination. The absence of internal borders in the EU Schengen zone will allow jobless, unauthorized immigrants to seek employment across a range of countries.<sup>67</sup> Therefore, immigration may become impossible to manage.

### **Growth of Asylum Applications**

In an effort to avoid a forced return to the country of origin, immigrants will intent to abuse the asylum system of the EU countries. Although, the EU should be equipped to avoid the asylum status abuse, increased number of applications may possibly boost the financial costs and cause capacity problems.

### **Growth of Xenophobia**

Reducing staff as a consequence of economic recession does not affect only the foreign citizens, but also domestic population. In face of growing economical insecurity, once again xenophobia may arise. Further, with the purpose of cut-down the expenses, domestic employers may be willing to offer jobs to illegal immigrants. This would only increase the xenophobia moods in the society. In many countries of Europe, hostility toward immigrants is already creeping up. Therefore, it is extremely important to call for

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<sup>66</sup> Security Treads Linked to Migration Analyze. MVČR 2008

<sup>67</sup> Migration and the Economic Downturn. Migration Policy Institute. 2009

measures to inform the general population and raise awareness about the valuable economic and social contributions made by immigrants.<sup>68</sup>

## Conclusions

Examining the recent immigration in the EU, some new trends have appeared past years. The sources of immigration have become more variable as the new areas of origin emerged. As well, the country, which had traditionally been sources of migration, became the important destinations attracting a number of immigrants.

In past decades, Europe has witness somewhat of recurrence of temporary migration programmes, similar to those during the era between the Second World War and the oil crisis in 1973. While Europe is challenging a permanent labour need and aging population, immigration is often seen as feasible solution. Although, immigration can alleviate the problem of declining population, it is not a long-term solution of aging population. Further, it is more than difficult for states to avoid temporary immigrants settle and become permanent.

Historically proven, migration is strongly linked to economic opportunities. Therefore, the recent economic crisis will possibly affect immigration in the European countries. There are several factors playing role in affecting inflows and outflows of immigrants, while categorizing is very important. On some categories, particularly involuntary migrants or family reunion, the economic cycles have no visible effect, as the move is driven by different motives. On the other side, the crisis will hardly affect less skilled labour migrants.

Today, the EU finds itself in situation which may have long-term consequences on immigration. The lessons from history show us, the immigrant integration policies will be extremely important during economic downturn. Many immigrants are not going to be willing to return to their homelands, and as they are not eligible to benefit form welfare

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<sup>68</sup> Migration and the Economic Downturn. Migration Policy Institute. 2009

system, they may find themselves in hardship. Immigrant then may tend to involve in different criminal activities.

High unemployment may fuel tensions between immigrants and native workers who feel that their jobs are at stake. The boost of xenophobia within the society might be a huge problem to overcome. Government should ensure informing the general population and raise awareness about the valuable economic and social contributions made by immigrants.

Third, in order not to deepen the unemployment, government should step up tighten security measures and temporary intensify restrictions of entry explaining potential immigrants there is a poor prospect for employment in the current economic climate. The problem is that government has only limited control over some flows, such illegal immigration or inter-EU migration.

Lastly, government should make the programs of voluntary return more attractive to immigrants by ensuring they will be able to come back after the crisis is over. Further, the programmes should be accessible also for illegal immigrants although such practice may be quite controversial.<sup>69</sup>

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# **EU Rapid Reaction Mechanism: Restoration in Neighbouring Countries**

**Yu-Chin Cheng**

**Abstract:** After the proposal from the Commission and the opinion from the European Parliament, the Council of European Union finally ruled out divergence and appealed to a convergence of interest on cooperation in conflict management instead. The Council of European Union created a rapid-reaction mechanism to respond to ongoing crisis in several regions of the world. This mechanism differs from other crisis management means, which merely focus on rehabilitation after disaster happened or prevented crisis before. Instead, EU's rapid reaction mechanism not only involves in crisis management, but also stops carrying on damage to human beings. EU rapid reaction mechanism is employed both inside and outside Europe, particularly in the countries that suffer defilement. EU created this mechanism in order to prevent ongoing small or medium crisis to escalate into uncontrolled catastrophe, armed conflict or war. This research paper examines how rapid reaction mechanism functions in neighbouring countries, and indicates what impact this mechanism brings on cooperation in crisis management between EU and neighbouring countries.

## **Introduction**

Article 308 of the Treaty establishing the European Community states that “If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community, and this Treaty has not provided the necessary powers, the Council (the Council of European Union) shall, acting unanimously on a proposal from the Commission (the European Commission) and after consulting the European Parliament (the Parliament), take the appropriate measures.” (EU, 2002) In addition, the European Commission’s Proposal for a Council Regulation creating the Rapid Reaction Facility (the RRF) reckoned on in 2000 that “there is a need to make available at short notice, in the event of security-related crisis situations, accelerated decision-making mechanisms for specific and immediate interventions limited in time, and acting, if so required, as precursors of regular Community instruments to which action can thereafter be transferred”. (EU Commission, 2000) Furthermore, the European Parliament expressed its opinion that not all crisis situations require a solely military response. (Dunn, 2000) The Parliament welcomed the Council’s determination to improve the effectiveness of the Union’s capacity to respond to crises and stresses the progress achieved in the field of civilian aspects of crisis management. Not only in Europe but in several other parts of the world the EU is pursuing policies of development aid, macro-financial aid, economic, regional and technical cooperation aid, reconstruction aid, aid for refugees and displaced persons, and support

measures for consolidating democracy and the rule of law, respect for human rights and basic freedoms. (Dunn, 2000)

The Council Regulation No. 381/2001 was adopted, and the Rapid Reaction Mechanism (the RRM) was created and enforced on March 2, 2001. In accordance with the Council Regulation, the RRM is applicable to disaster management both inside Europe and outside in the world. It is mainly a civilian-oriented and EU-supervising crisis management tool and procedure. Of course, RRM also involves military action, but this kind mission is still to be conducted by EU member states, instead of EU institutions. (Cheng, 2008, 52)

The RRM competes with time and the huge resources needed for rehabilitation and reconstruction. Having said that, RRM considers that time is very fertile ground for crisis and it makes disaster bigger. Since bigger disaster costs for reconciliation and reconstruction exceed the smaller ones, the RRM is designed to avoid crisis worsening and to put it under control. (Cheng, 2008, 53) The RRM is not permanent, but it applied until December 31, 2006 in accordance with the Article 12 of the No.381.2001.

Once the RRM was established, the first RRM programme was launched in September and October in 2001 in Macedonia. This programme on elimination of ethnical conflict consisted of two plans – housing reconstruction and confidence-building. The last RRM programme on HIV/AIDS Action Plan was completed in Libya in 2006. This paper examines the RRM programmes in the EU's neighbouring countries – Ukraine, Georgia and Moldova in the timeframe from 2001 to 2006. It applies the approach of case study and employs organizational decision-making theory and process data via the method of open-source intelligence to discover the impacts on the RRM in neighbouring countries and to analyze the origin, characteristics, and functions of the RRM.

## **Fast Intervention: EU Rapid Reaction Mechanism**

RRM was designed to enhance the EU's civilian capacity to intervene fast and effectively in crisis situations in third countries. It provides the flexibility to mobilize Community instruments to be deployed quickly, whenever necessary. The Commissioner for External Relations Chris Patten said: "Conflict prevention and crisis management are at the heart of the EU's Foreign and Security Policy agenda." This mechanism acts as a catalyst, allowing us to mobilize resources within hours or days rather than weeks or months. (European Commission, 2001)

The difference between RRM and other EU's crisis management instruments lies in its

speed and flexibility – it enables short-term interventions, it has world-wide coverage and it can mix a number of measures under one intervention according to the needs of the crisis. Besides, its purpose is to transport any useful instrument as rapid stabilizers and it provides the base for later longer-term reconstruction and rehabilitation. Furthermore, RRM has independent budget reinforced by the authority of the Commission to decide fast on rapid interventions.

## **Origins**

The Helsinki European Council on December 10 and 11, 1999 stressed that rapid financing mechanisms such as the creation by the Commission of a Rapid Reaction Fund (RRF) should allow the acceleration of the provision of finance to support EU activities, to contribute to operations run by other international organizations and to fund non-governmental organizations (NGO) activities, as appropriate. (No. 381/2001)

In accordance with complexity of sudden crises, the European Community (EC) had decided to adopt one practical mechanism to respond critical crises. Having regard to the Treaty establishing the European Community, and to proposal of the Commission, and to opinion and consultation of European Parliament, EU decided to establish own rapid crisis management to mobilize resources quickly to reciprocate the emergence of situations of crisis or conflict. In February 2001, RRM was created, and launched in May in the same year. RRM was designed expectedly to be a civilian crisis management tool, and to start off short-term intervention.

Videlicet, in the beginning, RRM only conducted 19 cases, but increased upon to 65 contracts in 2003, particularly boosted up to hundreds of cases in 2006. Obviously, RRM broadens contributions as it cooperates intensively with local conductors. RRM is viewed as civilian crisis management, and it usually employs mediation, negotiation and other non-military tool to manage crises. Notwithstanding it cannot interpret that RRM uses no military force, but instead RRM makes decision on military operation with the Council's permission, particularly when EU thinks military respond is necessary. (Cheng, 2008, 53)

## **Characteristics and Functions**

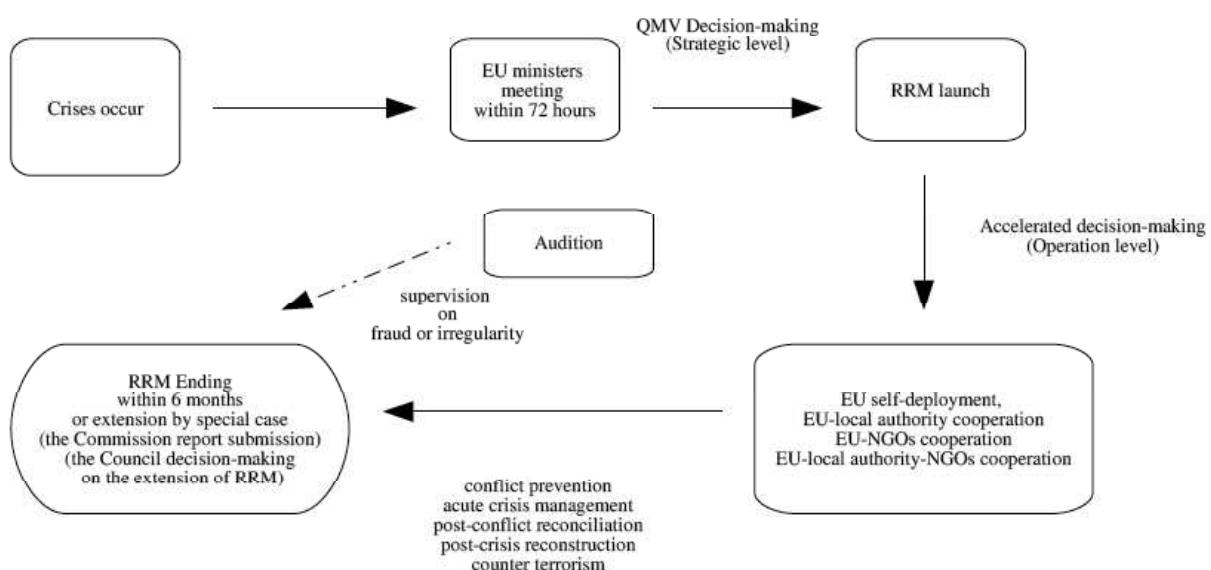
The characteristics of RRM are twofold— immediate actions and reasonable time-limits. As mentioned before, RRM manipulates all kinds of instruments necessary to solve crises or conflicts, but its particularity is to mobilize quickly within a limited time. Having said that,

immediate actions consist of deciding, financing and exercising actions. All these actions need to be consistent and carried out immediately. There is one indication written in Council regulation (EC) no 381/2001 that any kind programme of RRM validates within six months, except EC's decision on expansion of RRM's programmes.

All instruments related with RRM pursue the alleviation of crises, through human rights work, election monitoring, institution building, media support, border management, humanitarian missions, police training and the provision of police equipment, civil emergency assistance, rehabilitation, reconstruction, pacification, resettlement and mediation; (European Commission, 2001) They are ready to start off before the Council's decision. Only the Council decides whether to launch RRM or not, but the Commission conducts all activities.

According to No. 381/2001, EU ministers must gather within 72 hours to respond sudden crises. In this timeframe, QMV (Qualified Majority Voting) is applied for the procedure of decision-making made in the Council, but the Commission employs the procedure of accelerated decision-making to allocate all necessary resource and manpower to deal with crises. QMV helps the EU ministers to find common position on the rapid crisis management issue, but accelerated decision-making of RRM speeds up the procedure of decision-making. (Cheng, 2008, 54)

**Figure 1: The Procedure of Rapid Reaction Mechanism**



Source: Cheng, Y. C. (2008). *Regional aid to global disaster: Review EU rapid reaction mechanism*. *Journal of US-China Public Administration*, 5(6), 54.

It is possible to conclude that RRM was created to break the time limitation of crisis management and to become a practical stabilizer to freeze the current heat of sudden crises and to melt the future coldness of permanent reconstruction after crisis. At last but not at least, the Commission can promote international and regional organizations to cooperate, and can enhance effectiveness of EU member states' cooperation through the launch of RRM.

### **End and Continuation**

Having regard to Article 12 of No. 381/2001, RRM shall apply until December 31, 2006. However, it does not mean that RRM disappeared – instead, Instrument for Stability (IfS) is now the surrogate for RRM and its coverage broadened. In force since January 1, 2007, IfS is divided into a short- and a long-term component and its aim is twofold: (European Commission, 2008)

1. On the one hand, it aims in a situation of crisis or emerging crisis, to contribute to stability by providing an effective response to help preserve, establish or re-establish the conditions essential to the proper implementation of the community's development and cooperation policies.
2. On the other hand, it aims, in the context of stable conditions for the implementation of Community cooperation policies in partner countries, to help build the capacity to address specific global and trans-regional threats having a destabilizing effect, such as proliferation of weapons of mass destruction and trafficking, terrorism and organized crime.

The short-term component of IfS is a rapid and flexible tool to prevent conflicts and it focuses on situations of urgency, crisis and emerging crisis, which threatens democracy, law and order, human rights and fundamental freedoms, the security and safety of individuals. The short-term component tries best efforts to stop crisis from escalating into war. Although the short-term component of IfS has a panorama of crisis management, it can only be triggered in a situation of urgent crisis or emerging crisis.

On the other hand, the long-term component of IfS follows after the short-term component, if condition is necessary, and it is the continuation of post-conflict reconstruction. In the terms of long-term component, IfS enables the EU to help build international, regional and national capacity to address pervasive trans-regional and global threats affecting every single country and peoples whose vulnerability is increasing in a context of globalization. In addition, it allows the EU to help strengthen international organizations, state and non-state actors' capacities in the field of conflict prevention and post-conflict peacebuilding. (European Commission, 2008) Instrument for Stability is therefore not only a continuation of the Rapid

Reaction Mechanism but also a solution to the RRM's problem of "One-off, kick start" – it is to prove that EU's long-term and short-term crisis management has become more mature, effective and international.

## **Impacts on EU Rapid Reaction Mechanism in Neighbouring Countries**

In EU's terms, European Neighborhood Policy (ENP) can express the definition of neighbouring countries. ENP applies to the EU's immediate neighbors by land or sea – Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine; nevertheless, this research concentrates only on Moldova, Ukraine and Georgia based on the Annual Reports on the Rapid Reaction Mechanism of 2002 and 2003 of European Commission. Besides, additional reason is for future reference, and therefore Information Notes to the Council of 2004 and 2005 are also applied for the objectives of research. This section will introduce the RRM programmes in those countries, and will examine the impacts on them.

### **Moldova**

The region of Transnistria, which is a narrow strip of land between the Dniester river and the Ukrainian border, declared its independence from Moldova in 1992 after a ceasefire was signed. EU and U.S. have made great efforts freeze conflict for years for years, and the situation of this area becomes more stable, however, some sources indicate that Transnistria is the destination or point of transit of sizeable illicit flows (including weapons, drugs or human beings).

According to the Information Note to the Council of 2005, the Commission informed the Council about the imminent adoption of a financing decision for € 4million under the RRM allowing the initial establishment of an EU border Assistance Mission to Moldova and Ukraine. (Sannino, 2005) EU border Assistance Mission to Moldova and Ukraine was established for the first six months under RRM in order to enhance the ability and capacity of Moldovan and Ukrainian governments for border and customs controls and border surveillance along their common border, including on the Transnistrian section. The main activities of this mission are fivefold:

1. Designing on-the-job training and coaching in a real work environment to operational-level customs and border guard officials.
2. Starting off visits and inspections along border and check points.

3. Constructing the capacity and ability of risk analysis between in central and local level, particularly improving exchanges of information.
4. Advising on border-related standards and best practices by analogy with EU.
5. Analysis of strengths and weakness of the counterpart services with a view to making an assessment of need. (Sannino, 2005)

During the RRM-launched period, EU deployed approximately 50 staffs to serve as advisors at the central level and as heads or chiefs of field offices for border management. Apparently, EU Border Assistance Mission is a policy muscle to counter drug smuggling, weapons and human trafficking.

### **Ukraine**

Not only EU border Assistance Mission to Moldova and Ukraine, the second round re-run of the Ukrainian presidential election of 2004 was also executed with RRM. It is conclusive to prove that Ukrainian presidential elections of 2004 attracted everyone's attention highly. No doubt, Ukrainian presidential election of 2004 was the most important one since Ukraine proclaimed independence in 1991. The presidential elections were held in November and December 2004, respectively, in Ukraine and it was mostly a political battle between Prime Minister Viktor Yanukovych and former Prime Minister and opposition leader Viktor Yushchenko.

The election surrounded by allegation of media bias, intimidation, and even a dioxin poisoning of Yushchenko. In accordance with suspicious official result of the first round of presidential elections, announced on November 23, the election was won by Yanukovych. Notwithstanding, Yushchenko and his supporters, as well as many international observers, incriminated the presidential election. The outcome triggered political crisis, and provoke into widespread acts of civil disobedience named "the Orange Revolution". This non-violent public activity consequently led to the Ukrainian Supreme Court annulling the first round results and ordering a repeat of the second round. (Global Security, 2005).

For the second round of presidential election, EU initiated the Support programme to ensure its successful completion of a recapitulation. The Information Note of 2004, which referred to the second round of the presidential election in Ukraine on December 26, 2004, was written for the purpose of the support provided under the Policy Advice and Mediation Facility of the Rapid Reaction Mechanism (€480,000) which was to contribute to increasing the possibility that the second round re-run of the presidential election will be conducted more

in line with OSCE commitments and other international standards for democratic elections than previous rounds. (European Commission, 2004).

The main actions of support a repeat of the second round of Ukrainian presidential election were threefold: (European Commission, 2004)

1. Support to 150 short-term election observers from Eastern, South Eastern Europe, Russian Federation, Caucasus and Central Asia.
2. Provide assistance to the Central Election Commission in preparing election commissioners and voters for the polling day.
3. Provide assistance enabling citizens to report election violations, inquire about their rights, and familiarize themselves with the election processes.

This should ease the tensions in the country following the last round of the presidential election, and could draw voters back from animosity.

## **Georgia**

Apparently like Ukraine, Georgia had an electoral problem and it also almost provoked political crisis. On November 20, 2003, Georgia's Central Election Commission declared that the pro-presidential electoral bloc won the country's parliamentary vote. The commission's announcement injected an additional element of confusion to Georgia's ongoing political crisis, which was driven by allegations of government vote-rigging. National Movement leader Mikhail Saakashvili, the main organizer of opposition protests that have demanded the president's resignation, said his party did not recognize the CEC results and would try to prevent the new parliament from convening. (Devdariani, 2003)

In mid-November, several active Georgian civic organizations organized mass demonstration dubbed "Rose revolution" against Georgian President and the results of parliamentary elections and even threatened to storm the presidential residence. Because of international politician leaders' stress and *vox populi*, Georgian President Eduard Shevardnadze announced his resignation on November 23, after weeks of opposition protests demanding that his stepping down over the disputed parliamentary elections. Shevardnadze confirmed on state television that he had signed his resignation papers, and had said "he is going home." (RFE/RL, 2003)

EU praised President Eduard Shevardnadze's resignation and provided urgent technical assistance to the Georgian Electoral Commission for the re-run of the elections. The Commission indicated that Georgian President's resignation paved the way to restoration of constitutional law and order and voiced that democratic elections must match the condition of trust and confidence. To prop up Georgian political stability, the Commission adopted a

programme under RRM to support the organization of the Presidential and Parliamentary elections, which took place on January 4 and March 28, 2004, respectively.

## **Conclusion**

Via selected cases, it was demonstrated that the EU Rapid Reaction Mechanism is a preventive instrument of crisis management. This tool aims at small and medium crisis and tackles them within limited time. In addition, it can be concluded that the central theory of EU Rapid Reaction Mechanism is time and loss – apparently, as time of crisis management increases, so does the loss. Therefore, rapid and effective reactions to crisis are the emphasis of EU Rapid Reaction Mechanism. EU's neighbouring countries, particularly post-Soviet countries, are on the cross road of political and economic reforms. According to abovementioned cases, a small political dispute can be dealt with earlier before it becomes bigger one. When crisis becomes bigger, the cost of crisis management also increases. Via EU Rapid Reaction Mechanism, Georgia and Ukraine were restored to constitution and law, and returned to political stability.

Not only dealing with political problem, EU Rapid Reaction Mechanism executes and mobilizes all resources quickly to respond all kinds of crises within limited time. Instead of separate execution, the EU Rapid Reaction Mechanism is the connection of regional, global, private and official organizations to launch rapid crisis management by reason of loss decrease and benefit increase. As a matter of fact, EU Rapid Reaction Mechanism is not merely a rapid action, additionally it is also a procedure of rapid crisis management; having said that, it consists of rapid decision-making, action and timing. In other words, it is the harmony of rapidity – rapid decision-making, rapid reaction, and rapid time spending. EU Rapid Reaction Mechanism reflects the reality of crises and reveals the variety of EU crisis management approaches.

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# **Missile Defense: Perspectives and Possibilities**

**Adam Fireš**

**Abstract:** This study describes the perspectives and possibilities of missile defense, its role as an important element of global security, and the related implications for Europe. Due to the general diffusion of aero and space technology, its dual-use nature in civil and military industry, many states could get access to ballistic missile technologies. The missile defense systems have to deal with several key problems; first of all, the main problem consists in the principle of having to hit “a bullet with a bullet”. Another problem may be the insufficient number of intercept opportunities and short time for reaction and successful interception. Incoming ballistic missiles can be destroyed during their flight using land, sea, air or space systems. Each of the systems has its particular strengths, weaknesses and limits: therefore, a comprehensive, robust and multi-layered defense is necessary to provide an effective defense against this threat. For both Europe and the U.S., it is necessary to cooperate on this issue to build an effective missile defense system including the radar station and interceptors based in Europe.

## **Introduction: The global Threat**

Missile defense is one of the most important elements of global security. In the contemporary world, the development and proliferation of ballistic missiles and weapons of mass destruction poses a permanent and rapidly growing threat. Ballistic missiles can carry nuclear, chemical or biological warheads and reach any place on Earth in less than one hour. The EU identifies the threat of proliferation of weapons of mass destruction (WMD) as “potentially the greatest threat” to its security.<sup>1</sup> The recent North Korean missile launch clearly demonstrates the need for a strong, effective, and layered missile defense system.

First, it is necessary to determine the nature of the problem. An intercontinental ballistic missile (ICBM) is a long-range (usually defined as more than 5500 km range) missile. It is designed to carry one or more nuclear warheads, or warheads with chemical, biological or conventional load. In its mid-course phase of flight in space, the ICBM travel at speeds up to more than 7 kilometers per second. Therefore, the missile defense systems have to deal with the key problem – the principle of hitting “a bullet with a bullet”.

Ballistic missiles are rockets consisting of one or more rocket stages (typically up to 3) which provide propulsion in the first phase of flight. The trajectory of the missile can be divided into a boost phase, a mid-course phase in space and a very short terminal phase of

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<sup>1</sup> European Security Strategy: A secure Europe in a better world, Brussels, 12 December 2003, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>

atmospheric re-entry. The most important characteristics of a ballistic missile are its range, accuracy, and payload. The payload required for one nuclear warhead is typically a few hundred kilograms; therefore, for a missile with multiple warheads the payload is up to tons.

The missiles designed for range greater than 5500 km or 3500 miles are defined as intercontinental ballistic missiles. The typical flight time of an ICBM is 30-35 minutes for a 10 000 km range. The accuracy of the ICBMs can be as precise as tens of meters, but it is not required due to their high firepower and large destructive radius. Therefore, an accuracy of hundreds of meters is sufficient for most ICBMs.

## **The Flight Phases of ICBMS**

### **Boost phase**

The missile is launched and quickly gaining acceleration. The rocket engines are producing extremely hot gases with strong infrared track that is relatively easy to detect, especially from space. The boost phase is relatively short, typically 3-5 minutes. Altitude of the missile at the end of this phase is approximately 150 to 400 km depending on the trajectory; typical speed is approx. 7 km/s. A chance for an interception in this phase has the advantage of destroying the missile before it disperses the warheads and potential decoys. The phase between the fuel burn-out and separation of the warheads is sometimes separately defined as post-boost or ascent phase.

### **Midcourse Phase**

The midcourse phase in space above the Earth's atmosphere lasts typically 15-25 minutes, approximately 80 percent of the ICBM's total flight time. This phase offers more intercept opportunities, but the missile defense systems may have to deal with multiple independent warheads and decoys, designed as false targets and released in order to confuse sensors and waste the incoming interceptors. The midcourse phase is basically a free flight in the space – a sub-orbital space flight in an elliptic orbit, with maximum altitude of approximately 600-1200 km, depending on the trajectory.

### **Terminal Phase**

The terminal phase (also reentry phase), is the last phase of the ICBM's flight. During this phase, the warhead(s) reenter the Earth's atmosphere at an altitude of approximately 100 kilometers. This phase is very short, typically up to 60 to 120 seconds, offering the last-shot

opportunity for the defense systems. However, the systems may have to face more problems, including last-moment trajectory changes of the incoming warheads, making them more difficult targets to hit.

## **The Threat of Electromagnetic Pulse (EMP)**

The EMP, caused even by detonation of a single nuclear warhead, could cause catastrophic consequences to any developed country. EMP is generated by any nuclear weapon explosion at any altitude above approximately 40 kilometers, with the height of explosion being significant in determining the area exposed to EMP. To generate an EMP, it is just needed to launch one relatively unsophisticated missile with nuclear warhead designed to detonate at altitudes from 40 to 400 kilometers above the Earth's surface. Such action would result in devastating consequences. An EMP attack would represent a highly successful asymmetric strategy against any country dependent on computers, electronics, computer and telecommunications networks, modern transportation systems, etc.

The tests of nuclear explosions in space conducted by both the U.S. and the Soviet Union revealed the vulnerability of any modern society. For example, during the Starfish nuclear weapons tests above Johnston Island in the Central Pacific in 1962, the EMP was an unintended result of a nuclear detonation at an altitude of about 400 kilometers. The effects approximately 1400 kilometers away in Hawaii included “the failure of street lighting systems, tripping of circuit breakers, triggering of burglar alarms, and damage to a telecommunications relay facility.” Nuclear tests conducted by the Soviet Union, also in 1962, produced damage to overhead and underground buried cables at distances as far away as 600 kilometers, together with surge arrester burnout, spark-gap breakdown, blown fuses, and power supply breakdowns. Today, the destruction caused by an EMP explosion would be, of course, even far more catastrophic than in 1960’s.

Because of the long-range effect caused by the EMP, the nuclear weapon needs not be detonated directly over the target area itself to cause major damage to the modern infrastructures such as computer networks, telecommunications, banking and finance, fuel, energy and transportation systems, government institutions, etc. For a terrorist group or rogue state, there is no need for smuggling a nuclear weapon over the border or launch a missile to hit a selected city. Such a group or state can just launch an unsophisticated and cheap missile from a ship in international waters just at least around 40 kilometers in the air and then

detonate it by remote control. It can give any potential attacker the capability to destroy critical electronic and technological infrastructures of any developed state.

## **The Principles of Effective Missile Defense**

Incoming ballistic missiles can be destroyed during their flight using land, sea, air or space systems. Each of the systems has its particular strengths, weaknesses and limits: therefore, a comprehensive, robust and multi-layered defense is necessary to provide an effective defense against this threat. The effective defense system must be capable of both global monitoring and global defense against any ballistic missile attack, be on 24-hour alert and consist of all main elements – land, sea, air and space systems. The main functions shall be as follows:

1. Detection of the launch of enemy ballistic missile and tracking its trajectory using primarily space infrared sensors and radars and land-based radars and systems.
2. Accurate tracking of the ballistic missile using the high-performance ground based radars with long range and high resolution.
3. Destruction of the ballistic missile or the missile warhead above the Earth's atmosphere by direct impact.

Each of the missile flight phases, the boost, midcourse, and terminal phase, provides multiple intercept opportunities, but also limitations that must be taken into account in the design and deployment of any effective missile defense system. The ideal choice is destruction of the missile as soon as possible after its launch, while having as much opportunities as possible for multiple shots as the missile and the warhead(s) precede its full trajectory from launch to target.

In order to provide a global, long-range, strong and effective missile defense, the system must have a layered architecture. The land-based systems shall include the planned mid-course interceptors in Poland and the X-band radar in the Czech Republic, because of its high performance and long range. The sea-based systems, as the *Aegis* cruisers, can provide a good regional protection. Air-based systems, like the airborne laser, can also be used in some cases. The space-based systems provide very important early-warning and tracking data. A very good option would be to develop and deploy a comprehensive system consisting of interceptors in space able to destroy missiles of all ranges in all phases of their flight. These satellite interceptors can cover the entire Earth's surface, see across a 360-degree space-earth

horizon to detect any missile launches globally, and strike the enemy ballistic missile very quickly, even while still in its boost or early-midcourse phase.

## Conclusion

Missile defense systems geographically situated in Europe are essential to defend both Europe and the United States against the threat of intercontinental ballistic missiles. Furthermore, it is crucial to develop new technologies and promote the continued improvement of the missile defense capabilities and eliminate the performance gaps. Interconnection and information sharing with the NATO systems is also an important element of the effective missile defense. Central Europe, namely the Czech Republic, is an ideal location for the mid-course tracking radar because of its long range and azimuthal coverage. The silo-based interceptors in Poland can provide protection for most of Europe and the *Aegis* system has capability to defend a significant additional area. Therefore, it is crucial to deploy the ground-based missile defense systems in the Czech Republic and Poland as soon as possible, expand the sea-based defenses, namely the *Aegis* system, to provide more intercept opportunities, develop and deploy space-based systems with interceptors able to destroy incoming ballistic missiles in their boost, midcourse and terminal phases of flight and strengthen the international cooperation in missile defense.

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